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Coercive Disobedience: Art and Simulated Transgression

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Paolo Cirio and Alessandro Ludovico, lovely-faces.com, component part of Face to Facebook, 2011, website no longer active (website © Paolo Cirio and Alessandro Ludovico; screenshot provided by the artists)

It would be interesting to see whether the representative apparatus would not react more violently to a simulated holdup than to a real holdup. Because the latter does nothing but disturb the order of things, the right to property, whereas the former attacks the reality principle itself. Transgression and violence are less serious because they only contest the distribution of the real. Simulation is infinitely more dangerous because it always leaves open to supposition that, above and beyond its object, law and order themselves might be nothing but simulation.

—JEAN BAUDRILLARD¹

On February 2, 2011, the dating website lovely-faces.com went live. The match-making site boasted 250,000 profiles chosen from an original one million—demonstrating discriminating taste in its clientele. Each profile page featured an individual's name, photo, and resident country as well as their friend network and

group subscriptions. The website filtered profile photos through facial recognition software using Principal Component Analysis (PCA) to group users into one of six categories—easygoing, funny, mild, climber, sly, and smug. However, the crux of lovely-faces.com was neither its exclusivity nor its glib categorizing system; the important thing about the online matching service was that the information displayed on the site was neither uploaded by its so-called users nor posted with their active consent. Each profile comprised information scraped from publicly available data

on Facebook—data accessible without logging in—and any attempt to “arrange a date” simply linked directly to that person's Facebook page.²

Lovely-faces.com was the opening chapter of the multiplatform, temporal project *Face to Facebook* realized by artists Paolo Cirio and Alessandro Ludovico. The project was launched at transmediale.11 (February 1–6, 2011) and the installation comprised an explanatory video, a diagram detailing the mechanisms used to realize the work, and a computer linked to the faux-dating website. These items were set against a grid of 1,728 mostly smiling user-profile photographs. All of the information within the installation was also available on the project's principal website, face-to-facebook.net, along with the open-source script the artists wrote to scrape publicly available data.

By recontextualizing information from a website used by approximately five hundred million people (in mid-2010), *Face to Facebook* played on the latent dangers of online networking sites, fostering ambivalence in a digital citizenry eager to share their lives online. Indeed, *Time* perhaps summarized the situation best: “You might be signed up for lovely-faces.com's dating service and not even know it.”³ As the artists anticipated, the work quickly became a global news story; it was reported across television, print, and online media outlets, and Facebook users' newsfeeds and reposts stoked public speculation. On face-to-facebook.net, Cirio and Ludovico cataloged the viral spread of the story; they archived both news reports and the (anonymized) personal messages they received in response to the faux-dating site. The messages ranged from supportive to apoplectic, and the artists quickly complied with any request to remove a specific profile.

But this creative audit considering the lack of online privacy rapidly morphed into something else: an intense legal drama. Although lovely-faces.com was shut down within a week of its launch, the legal proceedings and documents generated by the project soon occupied a place of prominence on face-to-facebook.net.

Monica Steinberg

Coercive Disobedience: Art and Simulated Transgression

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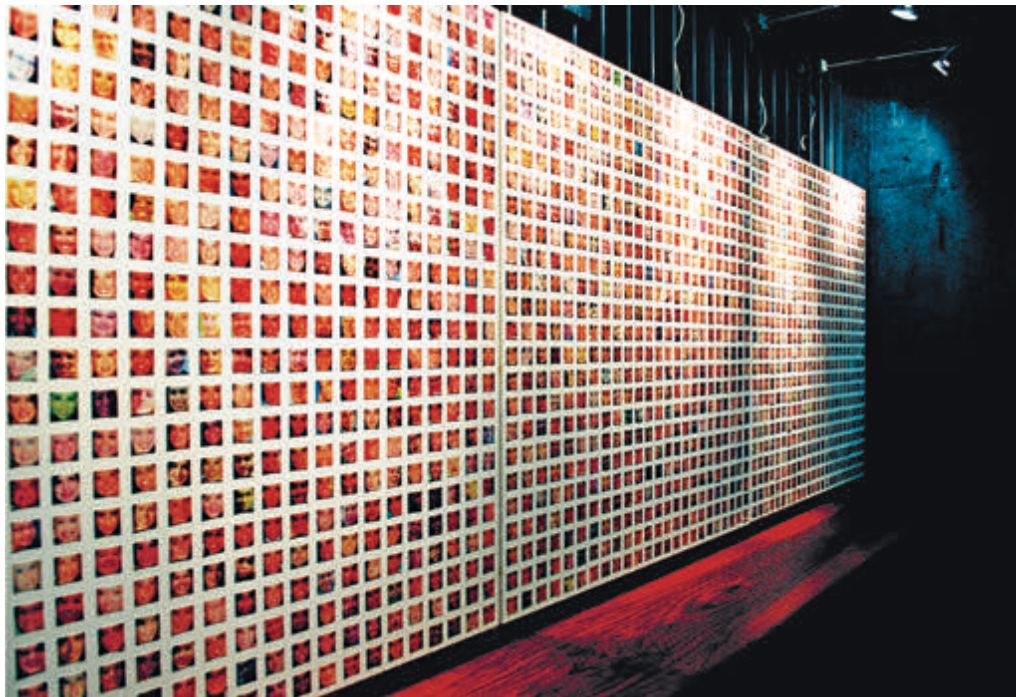
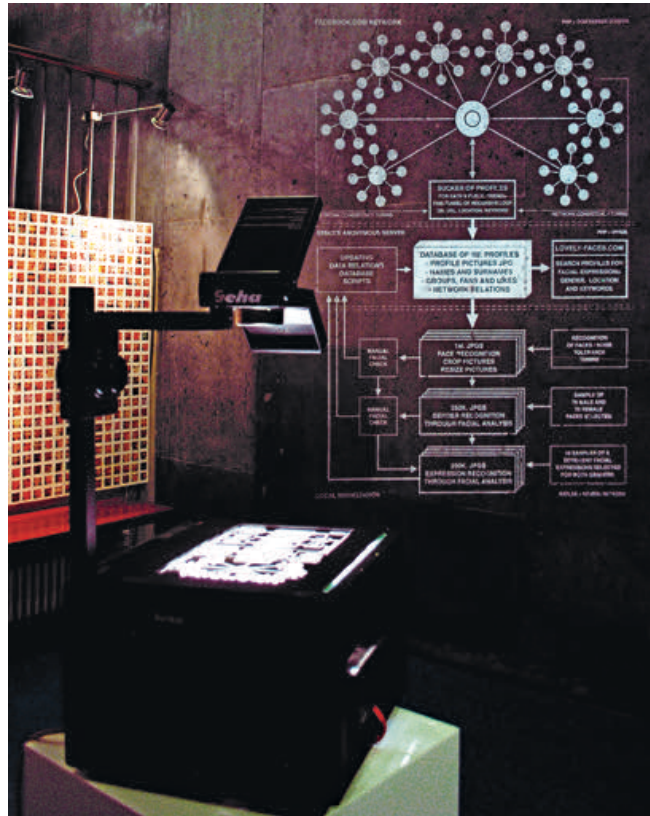
1. Jean Baudrillard, *Simulacra and Simulation*, trans. Sheila Faria Glaser (Ann Arbor: University of Michigan Press, 1994), 20 (emphasis in original). First published in French in 1981.

2. Paolo Cirio and Alessandro Ludovico, “How We Did It,” *Face to Facebook* (website), last updated 2012, <http://www.face-to-facebook.net/how.php>.

3. Michelle Castillo, “Site Steals 250,000 Facebook Profiles for a ‘Social Experiment,’” *Time*, February 4, 2011, <http://techland.time.com/2011/02/04/site-steals-250000-facebook-profiles-for-a-social-experiment/>.

Paolo Cirio and Alessandro Ludovico, flow-chart, component part of *Face to Facebook*, 2011, installation view, transmediale.11, Berlin, 2011 (artwork © Paolo Cirio and Alessandro Ludovico; photograph provided by the artists)

Paolo Cirio and Alessandro Ludovico, profile pictures, component part of *Face to Facebook*, 2011, installation view, transmediale.11, Berlin, 2011 (artwork © Paolo Cirio and Alessandro Ludovico; photograph provided by the artists)





Stills from “Facebook Warning,” ca. February–March 2011, color, sound, 1:56 min., WSB-TV News Channel 2, Atlanta, GA (published under fair use; screenshots by the author)

Within forty-eight hours of the project’s premiere, Facebook’s legal firm, Perkins Coie, sent the artists a letter subtitled “Abuse of Facebook.” This cease-and-desist letter alleged that the artists had stolen protected information; were encouraging others (via their open source script) to pilfer data for “unauthorized and illegal purposes”; and had violated the California Comprehensive Computer Data Access and Fraud Act, the United States’ Computer Fraud and Abuse Act, and the European Union’s Data Protection Directive. With a hint of petty spite, the letter also notified the artists that Facebook had disabled their personal accounts.⁴ Of course, Cirio and Ludovico responded in kind through their legal counsel, Adam J. Kessel of Fish & Richardson. Writing on behalf of the artists, Kessel asserted that the artists’ actions did not violate the law, since “no Facebook account or login was required or used to retrieve any of the information in question. . . . [It] was freely available to anyone with a connection to the open Internet.”⁵

By March, Facebook’s Legal Department, which is separate from Facebook’s external legal counsel, alleged trademark infringement, asserting that face-to-facebook.net was diluting the “famous Facebook trademark” and confusing customers. Their letter concludes, ominously: “Facebook has prevailed in each case and the domain names at issue were all ordered to be transferred to Facebook.”⁶ In April, Perkins Coie supplemented its earlier accusations, asserting that the artists had used a data-collecting bot designed to evade Facebook’s security measures—specifically its captcha-based protections and user-agent string monitoring (browser monitoring).⁷ In the midst of this artist-instigated legal drama, Facebook activated a new default setting on its social network which automatically suggested “name tags” in photographs—its facial recognition software operating with 97 percent accuracy, well above the FBI’s “Next Generation Identification,” which in 2011 hovered around 85 percent.⁸

In a letter of September 5, Kessel quashed Facebook’s legal standing, demonstrating that despite the artists’ hacking claims, at the time of their data collection, Facebook was neither using captcha-based protections nor monitoring user-agent strings as a security measure. His letter concludes: “Given the . . . questions regarding the legality of Facebook’s own ‘facial recognition’ software . . . we are surprised that Facebook would continue to aggressively pursue a nonprofit conceptual art project that illustrated the risks of sharing data on social networking websites.”⁹ Conspicuously absent from Kessel’s reproach, however, is the topic of trademark infringement. This is notable not only because Kessel is an intellectual property specialist but also because there is an argument (albeit tenuous) to

4. Letter from Perkins Coie to Paolo Cirio and Alessandro Ludovico, February 4, 2011, Face to Facebook (website), last updated 2012, http://www.face-to-facebook.net/legal/1F2F_CeaseAndDesist_4Feb2011.pdf.

5. Letter from Adam J. Kessel to Perkins Coie, March 11, 2011, Face to Facebook (website), last updated 2012, http://www.face-to-facebook.net/legal/2F2F_RE-CeaseAndDesist_11Mar2011.pdf.

6. Letter from Legal Department, Facebook to [redacted], March 15, 2011, Face to Facebook (website), last updated 2012, http://www.face-to-facebook.net/legal/3F2F_TM_CeaseAndDesist_15Mar2011.pdf.

7. Letter from Perkins Coie to Adam J. Kessel, April 7, 2011, Face to Facebook (website), last updated 2012, http://www.face-to-facebook.net/legal/5F2F_CeaseAndDesist_7Apr2011.pdf.

8. “Facebook ‘Face Recognition’ Feature Draws Privacy Scrutiny,” *New York Times*, June 9, 2011, B10.

9. Letter from Adam J. Kessel to Perkins Coie, September 5, 2011, Face to Facebook (website), last updated 2012, http://www.face-to-facebook.net/legal/6F2F_RE-CeaseAndDesist_5Sept2011.pdf.

be made that *Face to Facebook* (and *face-to-facebook.net*) possibly violated the broad protections afforded by the Lanham (Trademark) Act of 1946 and the Anticybersquatting Consumer Protection Act of 1999—a legislative amendment extending to trademark holders a cause of action against anyone who registers a domain name that is similar to existing and protected marks or names. But practically speaking, would any reasonable person have believed that *Face to Facebook* was a branch of the Facebook corporation?¹⁰ And if the artists' actions were not illegal, why would they claim as much if not to suggest the relevance of the law and its (albeit simulated) violation to the work itself?

One answer to these questions is that the artists were claiming to be hackers and feinting toward trademark infringement in an ironic way, teasing legal violations only to thwart those accusations in light of their innocence. Perhaps they were linking their work to violations of privacy and to the legally precocious “famous Facebook trademark” in order to provoke litigious repercussions and, at the same time, to mock and frustrate these tendencies. Here, the artists mobilized the tools of the parafictional, concocting fictions that are experienced, for various durations and purposes, as fact. The artists realized the kind of viral fake-news campaign that is paradigmatic of the post-truth era's weaponizing of emotions—using online technologies to influence group behavior and appealing to preexisting biases. They disseminated false and deliberately misleading information—blatant lies—packaged within an attention-grabbing story. But rather than mobilizing these mechanisms to direct attention away from fact-based content and policy (or doing so for the sake of earning money from “clicks” and “views”), they instead situated policy at the crux of their operations, creating a work that, much like *Nike Ground* (2003) by Eva and Franco Mattes (a.k.a. 0100101110101101.org) and the *Yes Men's Dow Does the Right Thing* (2004), activates forms of deception to appeal to a larger reality.¹¹ Yet, as opposed to managing plausibility and inculcating critical doubt, *Face to Facebook* instead directed its energies toward coercing a public demonstration of the ruling apparatus—prodding it to expose both its (corporate) priorities and its (coercive) legal tactics.

Another answer to these questions is that Facebook's censorial letters were less concerned with notifying parties of their supposed transgressions than they were with conveying allowable forms of coercion and intimidation. Facebook's response validated the artists' simulated legal infractions by likewise simulating (feigning) harm. Thus, the cease-and-desist letters were less enforceable accusations than they were component parts of a SLAPP (Strategic Lawsuit Against Public Participation)—a coercive strategy manifesting in civil complaints and counterclaims against nongovernmental individuals or organizations regarding an issue of public or social significance.¹² These coercive, invented, and censorious claims and maneuvers are encoded into the artwork and occupy a substantial position in later displays of the temporal project; they are evidence of disparate power dynamics and the nature of those legal claims and counterclaims which maintain the status quo and limit public and political participation. Such tactics—and the ease with which (corporate) entities employ them—problematize the role of the courts in policing and adjudicating disputes as well as the nature and quality of the democratic process itself.

Cirio and Ludovico's project is uncomfortable because rather than simply detecting faces (as distinct from objects), it *identified* faces, tapping into a deep-

10. “Reasonable person” is a legal fiction representing how a typical person might respond in a particular circumstance.

11. Carrie Lambert-Beatty, “Make-Believe: Parafiction and Plausibility,” *October* 129 (Summer 2009): 51–84. Social media news streams do not display everything; rather, they are curated by the corporate host, and the information therein impacts a user's mood and influences their political persuasion. See also Cathy O'Neil, *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (New York: Crown, 2016); Yve-Alain Bois, “Fake News and Alternative Facts: Three Antidotes from History,” *October* 160 (Spring 2017): 127–30; Vian Bakir and Andrew McStay, “Fake News and the Economy of Emotions: Problems, Causes, Solutions,” *Digital Journalism* 6, no. 2 (2018): 154–75; and David Joselit, “Fake News, Art, and Cognitive Justice,” *October* 159 (Fall 2017): 14–18.

12. George W. Pring and Penelope Canan, *SLAPPs: Getting Sued for Speaking Out* (Philadelphia: Temple University Press, 1996).

13. Jeremy Bentham proposed the concept of the panopticon in the eighteenth century; the idea was expanded by Michel Foucault in his *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Random House, 1979). First published in French in 1975.

14. Étienne de La Boétie, *The Politics of Obedience: The Discourse of Voluntary Servitude*, trans. Harry Kurz (Montreal: Black Rose Books, 1975), first published in French in 1576; Alberto Romele, Francesco Gallino, Camilla Emmenegger, and Daniele Gorgone, “Panopticism Is Not Enough: Social Media as Technologies of Voluntary Servitude,” *Surveillance and Society* 15, no. 2 (2017): 204–21.



Paolo Cirio and Alessandro Ludovico, legal correspondence, component part of *Face to Facebook*, 2011. 17 Plexiglas panels, each 8¼ x 11½ in. (21 x 29.7 cm), installation view, *Public Private*, February 7–April 17, 2013, Kellen Gallery, New School, New York (artwork © Paolo Cirio and Alessandro Ludovico; photograph provided by the artists)

seated anxiety about privacy and surveillance and demonstrating how social media users exist within a regulatory framework and strange panoptic architecture premised on identification and visibility—one which is accessible by various government agencies, regulated by private companies' terms and conditions, and overseen by fluctuating groups of hive-minded prosumers (producers + consumers) who both surround and surveil each other.¹³ Even more troubling is the vast discrepancy between the protections afforded to differently classed entities (individuals and corporations). That is, *Face to Facebook* considers how participation in online communities is premised on a kind of voluntary servitude, a willingness to circulate personal data within a deceptively hospitable system that is, in fact, a for-profit corporate entity.¹⁴ In this system, individual prosumer identities are transformed into commodified matter (data and property). By contrast, the

branded identity of Facebook itself—its trademark—is afforded many and stringent safeguards under the auspices of ever-expanding intellectual property protections. In other words, Cirio and Ludovico’s real accomplishment was less a consideration of the conditions surrounding privacy and surveillance than it was an exposé on the legal mechanisms undergirding that condition, spotlighting the stark divide between the limited protections afforded to personal identities as opposed to the stringent protections afforded to those corporate identities within which personal data is a commodity.

Cirio and Ludovico are, of course, well versed in provocative, creative endeavors. *Face to Facebook* was, in fact, the concluding installment of the duo’s *Hacking Monopolism Trilogy*—a trio of works including *Google Will Eat Itself* (2005), wherein a legal dispute with Google became a key part of the work, and *Amazon Noir* (2006), which considered the intertwined nature of intellectual property law and profit-driven business interests.¹⁵ As the artists state: “Legal reactions can’t be always controlled and orchestrated . . . [but we are] aware of the legal implications of such art and [of] integrating them in[to] the work.”¹⁶ Indeed, the project appears to test Baudrillard’s hypothesis: “Simulation is infinitely more dangerous because it always leaves open to supposition that, above and beyond its object, law and order themselves might be nothing but simulation.” *Face to Facebook* was preemptively designed to incorporate the (un)intended consequences of a simulated transgression as it played out in the expanded field—over time and in social, political, and legal arenas. And the artists made opportune use of the occasion to spotlight the aggressive responses and credulity-stretching claims of private corporate actors and their legal enforcers, incorporating and deconstructing the law as written and enforced and considering how this power dynamic effectively discourages individual and group expression.¹⁷

Coercive Disobedience

If deliberative democracy is measured by the active and free participation of citizens in political life, then the role of coercion and the calculated use of the law to curtail and constrain debate needs to be carefully examined.¹⁸ *Face to Facebook* does just that, surrounding itself with questions of deception, disobedience, and coercion. It instigates a dialogue around the contexts and the configurations of power—that is, Michel Foucault’s *dispositif* or apparatus.¹⁹ Thus, in order to consider artworks craftily coercing the coercers by provoking legal threats, intimidations, and retribution through real or simulated transgressive activities, I propose looking to the phenomenon of coercive disobedience.²⁰ Coercive disobedience has long been recognized as the neglected cousin of civil disobedience. A more (in)famous form of protest, civil disobedience is a nonviolent, direct or indirect expression of dissent which is performed to effect change.²¹ But while dramatic acts of principled lawbreaking may call attention to a particular injustice, such demonstrations do little under authoritarian-hued regimes wherein individual freedoms are subordinate to corporate interests, and luxury laws (benefiting monied entities) are wielded as legitimate tools for corporate expansion and censored expression. Coercive disobedience is a generally nonviolent form of real or simulated lawbreaking, but unlike classic accounts of civil disobedience that prioritize persuasion through moral appeal, coercive disobedience instead mobi-

15. Jeff Cox, “Coding Publics,” in *Speaking Code* (Cambridge, MA: MIT Press, 2012), 69–97.

16. Paolo Cirio, email message to author, April 14, 2019.

17. Cirio and Ludovico, “Theory,” *Face to Facebook* (website), last updated 2012, <http://www.face-to-facebook.net/theory.php>.

18. Archon Fung, “Deliberation Before the Revolution: Toward an Ethics of Deliberative Democracy in an Unjust World,” *Political Theory* 33, no. 2 (June 2005): 397–419.

19. Constance Kampf considers the action of “revealing” power as a *savoir/pouvoir* (knowledge/power) correlation. Kampf, “Art Interrupting Business, Business Interrupting Art: Re(de)fining the Interface between Business and Society,” *Cyberactivism on the Participatory Web*, ed. Martha McCaughey (New York: Routledge, 2014), 155–81. See also Michel Foucault, “The Confession of the Flesh,” in *Power/Knowledge: Selected Interviews, 1972–1977*, ed. Colin Gordon, trans. Colin Gordon, Leo Marshall, John Mepham, and Kat Soper (New York: Pantheon, 1980), 194–228.

20. Guy Aitchison, “Domination and Disobedience: Protest, Coercion and the Limits of an Appeal to Justice,” *Perspectives on Politics* 16, no. 3 (2018): 666–79; Kimberley Brownlee, *Conscience and Conviction: The Case for Civil Disobedience* (Oxford: Oxford University Press, 2012); and Piero Moraro, “Violent Civil Disobedience and Willingness to Accept Punishment,” *Essays in Philosophy* 8, no. 2 (2007): 270–83.

21. Henry David Thoreau, *On the Duty of Civil Disobedience* (New York: Macmillan, 1962), first published in 1849; John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971); Jürgen Habermas, “Civil Disobedience: Litmus Test for the Democratic Constitutional State,” *Berkeley Journal of Sociology* 30 (1985): 95–116; and Kimberley Brownlee, “Features of a Paradigm Case of Civil Disobedience,” *Res Publica* 10, no. 4 (2004): 337–51.

lizes provocation; it is a symbolic act of protest wherein the retaliatory actions of the ruling apparatus are a crucial aspect of the protest itself. While civil disobedience generally involves a willingness to accept the legal consequences of a breach of law and thus demonstrates a commitment to and respect for the legal system as a whole (even as it defies one part of that system), coercive disobedience is often characterized by attempts to simultaneously evade and publicize the consequences provoked, thus communicating a lack of respect for and a distrust in the foundations of that system.²² Intentionality is not a prerequisite for coercive disobedience—it may evolve accidentally and over time. Rather, antagonizing and directing attention toward the enforcement of what is perceived to be an unjust law or policy (and thus galvanizing attention around this enforcement) is key to what coercive disobedience is and what it does.

Broadly, coercion is the rule of the powerful over the less powerful, either by way of physical force (physical compulsion) or a situation which restricts choice (rational compulsion/threats)—the latter being relevant here. Rational coercion is tied to the expectation of an undesirable outcome; it is a reasoned conclusion reached by weighing the consequences of acting or not acting in a certain way.²³ In the case of *Face to Facebook*, Cirio and Ludovico (the less powerful) are compelled by (somewhat hollow) threats of a lawsuit to abandon their project. Yet not only do the artists defy these intimidating tactics and evade a lawsuit, the coercion at issue is, itself, strategically provoked and framed as a component part of the artwork. While Facebook’s decision to respond to Cirio and Ludovico was voluntary, the conditions of that decision were intentionally provocative and fraudulent, and the artists’ apparatus was designed, from the start, to incorporate both their actions and the reactions of others. In short, *Face to Facebook* weaponized simulation and coercion—both its own and Facebook’s. The extortion-like threats put forward by Facebook tended toward legally allowable forms of coercion, but the artists’ goading and subsequent publicizing of those coercive tactics alongside an explanatory message advancing reform effectively reframed the events as a mode of expressive dissent, or coercive disobedience. Simply put, coercive disobedience as applied by Cirio and Ludovico works against concealment, dialogically exposing the enforcement of laws and policies in a manner which is potentially damaging to the interests of the dominant elites.²⁴

Relevant to this theorizing of coercive disobedience in art are discussions of coercive hospitality, wherein the terms and conditions of participation are premised on accepting an invitation that cannot be declined. Online forums, for example, may look like benign platforms, but a user is less an active agent than a guest whose participation is transformed into data and sold for profit, recalling media theorist Wendy Hui Kyong Chun’s statement that “users are used as they use.”²⁵ Expanding on this idea, Anna Watkins Fisher (by way of philosopher Michel Serres) convincingly argues that projects like those by Cirio and Ludovico use a strategy of parasitism—participating in the very exploitation they critique by “mirroring back the parasitical character of the system itself.”²⁶ As Kris Cohen suggests, social invention is commodity invention; networked life and the new commodities or media facilitating it are coextensive with the social itself, and legal attempts to thwart instances of hacking, doxing, and digital sit-ins are, in reality, corporate protectionism masked in moralizing language.²⁷ Nonetheless, while these theorizations of coercive hospitality, parasitism, and networked life are indelibly important, they

22. Brownlee, *Conscience and Conviction*, 21–23.
 23. Anne Tucker, “Rational Coercion: Citizens United and a Modern Day Prisoner’s Dilemma,” *Georgia State University Law Review* 27, no. 4 (2012): 1105–32. Discussion of coercion in philosophy considers the voluntariness principle; in law, the circumstances surrounding an il/legal act or the validity of a contract; and in political theory, the effects on autonomy and freedom. See David Zimmerman, “Coercive Wage Offers,” *Philosophy and Public Affairs* 10, no. 2 (Spring 1981): 121–45; Alan Wertheimer, *Coercion* (Princeton, NJ: Princeton University Press, 1987); Michael Philips, “Are Coerced Agreements Involuntary?,” *Law and Philosophy* 3, no. 1 (1984): 133–45; and Arthur Ripstein, “Authority and Coercion,” *Philosophy and Public Affairs* 32 (2004): 2–35.
 24. James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, CT: Yale University Press, 1990). Then again, Michel Foucault argues that power is, itself, relational; the state is a manifestation of both coercion and violence, and freedom and self-determination. See Foucault, “Body/Power,” in *Power/Knowledge*, 55–62.
 25. Wendy Hui Kyong Chun, *Control and Freedom: Power and Paranoia in the Age of Fiber Optics* (Cambridge, MA: MIT Press, 2008), 28.
 26. Anna Watkins Fisher, “User Be Used: Leveraging the Play in the System,” *Discourse* 36, no. 3 (Fall 2014): 390; and Michel Serres, *The Parasite*, trans. Lawrence R. Schehr (Baltimore: Johns Hopkins University Press, 1982). First published in French in 1980. The most powerful parasites, Fisher argues, are those best disguised as hosts rather than users in their own right.
 27. Kris Cohen, *Never Alone, Except for Now: Art, Networks, Populations* (Durham, NC: Duke University Press, 2017), 66.

are also somewhat incomplete with regard to how law—as publicly sanctioned and sometimes privately enforced—operates within these systems.

In art history, *Face to Facebook* is caught up in discussions of culture jamming, cease-and-desist art or illegal art, and hacktivism. In the 1980s the artist Don Joyce coined the term “culture jamming” to consider the illegal alterations of publicly facing billboards—covert operations realized by groups such as the Merry Pranksters, Adbusters, Billboard Liberation Front, and the California Department of Corrections (CDC). Culture jamming was “art with *real risk*”; thus, perpetrators tended toward anonymity in the face of potential fines and lawsuits.²⁸ In the 1990s the term evolved into an “elastic category” of appropriation, semiotic manipulation, and information critique—an expanded field theorized by Mark Dery (who grounds his approach in Umberto Eco’s theorization of “semiological guerilla warfare”) and Naomi Klein (who considers life under corporate branding).²⁹ *Face to Facebook*, with its legally risky and semiotically manipulative operations, exists within this vein. However, not only is the project not anonymous, it is braggadocious. It mobilizes the legal system in a way that, to use theorist Sunil Manghani’s term, “operationalizes.”³⁰ Rather than simply representing their subversions, Cirio and Ludovico animate the rules and procedures censoring their practice. The trophy-like status of their collected cease-and-desist letters is paradigmatic of what editor and curator Carrie McLaren refers to as “illegal art” and what critic and curator Simona Lodi terms “cease and desist art”—both situating the frustration of intellectual property protections as a new aesthetic frontier.³¹

And of course, *Face to Facebook* is part of an expanding body of recent artworks pivoting at the intersection of new technology, law, and aesthetic practice: etoy, CORPORATION’s *Toywar* (1999–2000), Pete Ippel’s *oBay.info* (2006), James Bridle’s *Homo Sacer* (2014), and Constant Dullaart’s *High Retention, Slow Delivery* (2014).

In the legal field, projects like *Face to Facebook* might be said to constitute acts of semiotic disobedience. Theorized by legal scholar Sonia Katyal, semiotic disobedience comprises an act of both authorial disobedience (altering the original message) and (un)intentional proprietary disobedience (violating intellectual property protections).³² As Katyal argues, the converging proximity of intellectual property and tangible property has resulted in something akin to censorship—practitioners are forced (coerced) to abandon projects for fear of, or as the result of, legal repercussions, whether solicited or unsolicited. Alongside this move toward enclosure has been an opposite move toward liberation by engaging in forms of disobedience which frustrate intellectual property law.³³ And as lawyer Beatrice Kelly demonstrates, this form of trespass produces a particular kind of liability for artists who violate (as a part of their artistic practice) the terms of service governing social networking and media websites.³⁴ Arguably, *Face to Facebook* galvanizes a form of semiotic disobedience, animating both intellectual and real property protections which are (un)broken for a host of instrumental and expressive reasons. The consequences of these actions are the “risk” in “art with real risk”; and much like civil disobedience draws attention to disenfranchised peoples, semiotic disobedience draws attention to disenfranchised types of expression, publicly demonstrating actions which technically violate the law.

However, there is a notable difference between artworks considering the law as written or applied by appropriating proprietary material and consequently becoming vulnerable to legal sanction (culture jamming, semiotic disobedience),

28. Don Joyce (Crosley Bendix, pseud.), “Crosley Bendix Reviews JamArt and Culture Jamming,” track 2 of *Negativland, Over the Edge, Vol. 1: JAMCON '84* (1984), Seeland Productions 004, 1985, cassette (emphasis in original); and *Culture Jamming: Activism and the Art of Cultural Resistance*, ed. Marilyn DeLaure and Moritz Fink (New York: New York University Press, 2017).

29. Mark Dery, “The Merry Pranksters and the Art of the Hoax,” *New York Times*, December 23, 1990, H1, H36; Mark Dery, *Culture Jamming: Hacking, Slashing, and Sniping in the Empire of Signs*, pamphlet no. 25 (Westfield, NJ: Open Magazine, 1993); and Naomi Klein, *No Logo: Taking Aim at the Brand Bullies* (New York: Picador, 1999).

30. Sunil Manghani, “The Art of Paolo Cirio: Exposing New Myths of Big Data Structures,” *Theory, Culture and Society* 34, no. 7–8 (2017): 197–217.

31. *Illegal Art: Freedom of Expression in the Corporate Age*, November 13–December 6, 2002, CBGB’s 313 Gallery, New York; and *Cease and Desist Art: Yes, This Is Illegal!*, May 27–30, 2010, Brancaleone, Rome, Italy. See also: Christine Harold, *Ourspace: Resisting the Corporate Control of Culture* (Minneapolis: University of Minnesota Press, 2007).

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33. Katyal, “Semiotic Disobedience,” 492–93.

34. Beatrice Kelly, “The (Social) Media Is the Message: Theories of Liability for New Media Artists,” *Columbia Journal of Law and the Arts* 40, no. 4 (2017): 503–32.