T. Nikki Cesare Schotzko

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attempted to restrict the content of funded projects by passing an amendment which provided that an NEA grant recipient may not promote, disseminate, or produce materials which in the judgment of [the NEA] may be considered obscene, including but not limited to, depictions of sadomasochism, homoeroticism, the sexual exploitation of children, or individuals engaged in sex acts and which, when taken as a whole, do not have serious literary, artistic, political, or scientific value.

In reaction to the amendment, the NEA required approved applicants to certify in writing that funds would be expended in compliance with the amendment; this certification requirement was subsequently deemed unconstitutional.

(1999: 936–937)

15 It is worth noting, parenthetically, how the artists' work fares in the rhetoric of law journals:

Performance artist Karen Finley is known for a stage presentation which includes stripping and smearing her body with chocolate and alfalfa sprouts, symbolizing women forced to wallow in excrement and sperm. [...] The other three artists include graphic sexual material and homosexual themes in their work. [...] John Fleck, in his performance for A Snowball's Chance in Hell, reads from "a roll of toilet paper as though it were some sacred scroll [and] spills out a stream of psychotically linked snippets from the press, television and other sources."

(Kim 1993: 634–635)

16 According to the Guttmacher Institute, the gag rule, instituted in 1988 "prohibit[ed] health care professionals in Title X family planning clinics from providing any abortion-related information or referrals, even when specifically requested to do so. Counselors instead were required to give all pregnant women referrals for prenatal care and delivery. In addition, the gag rule required physical and financial separation of any of a clinic's privately funded abortion-related activities from its Title X project activities" (Guttmacher Institute 2000).

17 In "Money Talks, Again," Peggy Phelan writes, "Finley [...] was targeted because: (1) Finley refuses to be beautiful—still the biggest taboo for a visible woman whose primary obligation is to appeal to men; (2) Finley insists on talking about sexism, racism, and homophobia and thus is 'political' when the NEA would prefer her to be 'artistic,' or at least 'polite'; (3) Finley mourns, rather than excoriates, people who are HIV-positive and hence 'identifies' with them, that is to say, she shows loyalty to the enemy" (1991: 138).

The name of the rape victim does not need to be part of the story, right? The bodies at the crash site do not need to be shown on the 6:00 news in order for you to understand that people were killed in that crash. The death of Daniel Pearl in Pakistan, it can be described and not shown, even though his killers so desperately wanted it to be shown and shown again and shown again. It can be described. It does not have to be shown, particularly because that is what they wanted.

Rachel Maddow, The Rachel Maddow Show (2013)

Visibility has the ability to confer realness only insofar as it comes across as a "natural" visibility—a straightforward photograph, a documentary film. When the conditions of visibility are de-naturalized, and the ideological work of a privileged visibility is scrutinized, the event itself threatens to become unreal.

Aliza Shvarts, "Figuration and Failure, Pedagogy and Performance: Reflections Three Years Later" (2011: 159)

"I want to believe."

What Carrie Lambert-Beatty wants to believe is that art might offer a more efficacious alternative to political rhetoric, that "what the world of politics won't give us, the art world will." She wants to believe that Marina Abramović's 2010 performance-retrospective The Artist is Present might make clear that performance art, as a genre, can be cognizant of itself as a "spectacle and personality cult" and still afford an exchange between performer and audience that "generates authenticity and intersubjectivity"; and that,
two tweets by a user going by the name of Greg Hughes (@ghughesca) that sent the speculation viral. The first tweet, sent at 2:42 a.m., read, “This is the Internet's test of 'be right, not first' with the reporting of this story. So far, people are doing a great job. #Watertown”; and the second, at 2:43 a.m.: “BPD has identified the names: Suspect 1: Mike Mulugeta. Suspect 2: Sunil Tripathi.” Madrigal traces the havoc that almost immediately followed Hughes's tweets:

Seven minutes after Hughes' tweet, Kevin Michael (@KallMeG), a cameraman for the Hartford, Connecticut CBS affiliate, tweeted, “BPD scanner has identified the names: Suspect 1: Mike Mulugeta. Suspect 2: Sunil Tripathi. #Boston #MIT.” More media people started to pick things up around then, BuzzFeed's Andrew Kaczynski most quickly. His original tweet has since been deleted but retweets of it began before midnight and reached far and wide. Other media people, including Digg's Ross Newman, Politico's Dylan Byers, and Newsweek's Brian Ries, also tweeted about the scanner ID as 3am approached. Then, at exactly 3:00 Eastern, @YourAnonNews, Anonymous's main Twitter account tweeted, “Police on scanner identify the names of #BostonMarathon suspects in gunfire, Suspect 1: Mike Mulugeta. Suspect 2: Sunil Tripathi.”

(Madrigal 2013)

It was NBC's Pete Williams who, chasing down rumors concerning suspects of the bombings reported both through social media and mainstream networks, including CNN, Fox News, and the AP, confirmed a few hours after Hughes's 2:42 a.m. tweet that there were two or three suspects in the bombings, none of whom were Sunil Tripathi.

In “The Year We Broke the Internet,” Luke O’Neil places the blame for the widespread and seemingly unapologetic dissemination of hoaxes on what he names “Big Viral”—“a Lovecraftian nightmare that has tightened its thousand-tentacled grip on our browsing habits with its traffic-at-all-costs mentality—veracity, newsworthiness, and relevance be damned” (2013). Linking the gleeful spreading of any news, whether it is true or not, to the economy of the click that first binges on the distribution of the erroneous information and then purges via the subsequent posts correcting the initial information, O’Neil points to the turn in journalistic ethics from “too good to be true” to “too good to check.”
Not yet finished, never yet begun

Referring to the *New York Times* partnership with BuzzFeed, initiated during the 2012 US Presidential elections, O’Neill emphasizes how the “conflation of newness with news, share-worthiness with importance, has wreaked havoc on the media’s skepticism immune systems.” The ultimate cost of the media’s philandering with truth, O’Neill warns, will be the viewing and reading public’s inability to discern what is real from what is not.

When Samuel T. Coleridge first penned the phrase “willing suspension of disbelief” in his *Biographia Literaria* of 1817, it was in some defense of the fantastical matter of *The Rime of the Ancient Mariner*—published, with William Wordsworth’s *Tintern Abbey*, among other common-language poems, in their 1798 collection *Lyrical Ballads*. Denoting “two cardinal points of poetry [as] the power of exciting the sympathy of the reader by a faithful adherence to the truth of nature, and the power of giving the interest of novelty by the modifying colours of imagination,” Coleridge justifies his desire to initiate an empathetic relationship with his reader through the choice of the supernatural (“or at least romantic”) as his subject; a means “to transfer from our inward nature a human interest and a semblance of truth sufficient to procure for these shadows of imagination that willing suspension of disbelief for the moment, which constitutes poetic faith” ([1817] c. 1895: 47, 48). What results from the “hoax economy” of 2013 is a shift from such willingness, and the willingness on the part of the reader to be vulnerable and therefore compassionate in the face of such presumed truths. Our poetic faith having been raked through the mediated coals, the only options that remain, as BuzzFeed staff writer Charlie Wuzel proposes in his article “2014 Is the Year of the Viral Debunk,” are either “to openly buy into the hoax economy” or “to correct it” (2014).

Such debunking has enthusiastically fueled recent documentary film projects—Joaquin Phoenix’s yearlong public deconstruction of self in Casey Affleck’s *I’m Still Here* and Ariel Schulman and Henry Joost’s *Hitcrossian* primer on the hazards of Internet intimacy, *Catfish*, for instance, both released in 2010, the same year as the notoriously anonymous street artist Banksy’s *Exit through the Gift Shop*. As *Time Out* reviewer David Calhoun describes the cinematic trend:

> It’s been a busy year for documentaries which prompt viewers to cry foul. First there was Banksy and his tale of street-art chancer Thierry Guetta and then there was Casey Affleck and his portrait of his brother-in-law, Joaquin Phoenix. The climate is one of suspicion. But don’t write this off as a fake. It’s more interesting and less honourable than that. If you begin with the premise that all films, docs and dramas, are constructs of one sort or another and it’s the how and why that’s important, you’ll have fun pulling this apart. Just don’t expect the filmmakers to join you at that level.

*(Calhoun 2010)*

However, when such logic of the hoax blurs the lines between the real and the fictional, when the characters are not imaginary constructs but real people, or even allegedly real people, with real lives impacted by the actions of both the story’s authors and its audience, the effect of either such “buying in” or “correcting” reverberates not only through the field of critical analysis but in the daily lives of those involved, often with very real-world consequence. But, even then, don’t expect the doc and drama makers to join you at that level.

On 17 April 2008 the *Yale Daily News* ran a story about Aliza Shvarts’s senior art project under the headline “For senior, abortion a medium for art, political discourse” (Powers 2008). *YDN* writer Martine Powers reported that Shvarts’s project comprised “documentation of a nine-month process during which she artificially inseminated herself ‘as often as possible’ while periodically taking abortifacient drugs to induce miscarriages” (2008). In an article appearing just a day later, *Washington Post* writer Susan Kinzie revealed that Shvarts did not in fact perform any of the acts she described to the *YDN*: “the project was all faked” (2008). An international controversy over Shvarts’s work quickly erupted via the mainstream and alternative press as well as in chat rooms, Facebook groups, and various other social networking sites. Yale University immediately censored the project, forbidding Shvarts to display the documentation as planned. Shvarts continues to refuse to share any documentation that might materially verify whether or not the project actually happened.

Shvarts’s project, from its conception through its virtual circulation after Yale censored it, demonstrates a methodological shift in performance and its reception that incites in audiences not Coleridge’s willing suspension of disbelief, but rather a performative suspension of belief. Relieving both art and media, including mainstream news media, of the burden of truth, such work intentionally
provokes an atmosphere of doubt in its own veritableness, creating not only a contentious relationship between performance and audience but between the understanding of what might be true versus what is real.

ii.

The *Yale Daily News* article that broke the story of Aliza Shvarts’s censored senior year art project appeared at the top of the 17 April 2008 06:56 EST edition of the *Drudge Report* (drudgereportarchives.com 2008) and initiated an immediate international controversy online. Commenters on various news and social media sites took on the ethics of Shvarts’s alleged project—including the responsibility Yale, as the institution supporting Shvarts’s work, might bear; the validity of the titles “art” and “artist”; and, significantly, whether or not this project was a hoax. For the next two weeks, the mainstream and alternative press ran articles about Shvarts’s work, and reader-produced comment boards grew exponentially.

Responses on these various sites ranged from accusations that Shvarts committed murder—“you have murder [sic] another human being” (danielle in Shvarts 2008) and “This woman is a serial killer” (Oliver in Powers 2008); that she was an attention whore—“Attention whores constantly feel the need to be recognized” (anonymous in Powers 2008); and that she was as much a threat to artists as she was to audiences—“The problem with your art is that it specifically targets and terrorizes a group of people (specifically women who have suffered through this)” (Huh? in Shvarts 2008) and “This kind of stuff makes it hard for artists with actual TALENT to remain credible” (anne in Shvarts 2008). One reader identifying as “Dr. Westenburg” likened Shvarts’s project to experiments conducted by Nazi concentration camp physician Josef Mengele and went on to write, “With a name like [Shvarts], I bet her ancestors are turning in the grave out of shame that the only thing their genes reproduced is a sad and demonically destructive child” (in Shvarts 2008).

Facebook groups appeared in support of Shvarts’s work: “Aliza Shvarts Fan Club” (24 members as of 21 July 2011); “Aliza Shvarts is awesome” (5 members); “ALIZA SHVARTS IS MY BEST FRIEND” (oddly enough listed under “Sports & Recreation” and sporting 45 members). Others groups attacked her: “People Disgusted by Aliza Shvarts’ ‘art’” (6 members); “Aliza Shvarts: Yale Art Student or Heinous Murdering Bitch?” (25 members); “Petition for Aliza Shvarts [sic] to be tried [sic] for MURDER” (134 members). (The vast majority of these sites have since disappeared, though whether that is because their owners deleted them or as a result of changes within Facebook’s protocol is nearly impossible to determine.) On YouTube, user paulholmes001 uploaded an especially graphic, one-and-a-half-minute faux radio documentary promo on 25 April 2008 titled “Aliza Shvarts/Shvarcz: The Documentary—Promo” by “Randy Goat Productions.” The promo features a husky woman’s voice describing actions of “throwing that could-be baby against the wall” followed by her reaction to it (“You get a nice big splash and the tones of red are amazing... along with the fetus... pure beauty... on the canvas”) and a male voiceover narrating the project (“A woman obsessed with fetuses and miscarriage for their use in art”), all accompanied by the sounds of heavy female breathing and a child crying.

Shvarts sparked heated criticism as well from both pro-life and pro-choice factions. Fox News included in its summary of the controversy a response from Wanda Franz, president of the National Right to Life Committee, who described the project as “clearly depraved” and Shvarts herself as “a serial killer”; and NARAL Pro-Choice America communication director Ted Miller commented: “This ‘project’ is offensive and insensitive to women who have suffered the heartbreak of a miscarriage” (in Donaldson-Evans 2008).

Yale, in the meantime, patently denied that Shvarts had carried out the project as initial reports outlined. A follow-up article on 18 April 2008, penned by Zachary Abrahamson, Thomas Kaplan, and Martine Powers (who initially broke the story), begins with the assertion that “Aliza Shvarts ’08 was never impregnated. She never miscarried. The sweeping outrage on blogs across the country was apparently for naught—at least according to the University” (2008). While potentially true, on a technicality—that Shvarts never took a pregnancy test allows for the possibility that she in fact was never impregnated and therefore never miscarried—the point of the article was that the entire event had been a well-cultured hoax. Abrahamson et al. cite Yale spokeswoman Helaine Klasky as announcing in a written statement, “The entire project is an art piece, a creative fiction designed to draw attention to the ambiguity surrounding form and function of a woman’s body” (in Abrahamson et al. 2008). Klasky went on to attest that “Shvarts
told Yale College Dean Peter Salovey and two other senior officials Thursday that she neither impregnated herself nor induced any miscarriages. Rather, the entire episode, including a press release describing the exhibition released Wednesday, was nothing more than ‘performance art’” (2008). Had Shvarts actually enacted the repeated self-inseminations and self-induced miscarriages, “they would have violated basic ethical standards and raised serious mental and physical health concerns” (Klasky in Abrahamson et al. 2008).

While there is, usually, something more than nothing to performance art, Yale’s denial of Shvarts’s alleged actions is less a denial of the possibility that Shvarts actually engaged in these acts than a transparent denial of accountability. As Shvarts commented in Powers’s first article from 17 April, the piece was not conceived for its “shock value,” but rather Shvarts hoped it would generate discourse: “Sure, some people will be upset with the message and will not agree with it, but it’s not the intention of the piece to scandalize anyone” (in Powers 2008).

In an 18 April 2008 response to the YDN, the only public response she offered during the controversy, Shvarts detailed the process and intentions of [untitled] senior thesis, while also indicating the limits of distribution and circulation written into the project itself.

For the past year, I performed repeated self-induced miscarriages. I created a group of fabricators from volunteers who submitted to periodic STD screenings and agreed to their complete and permanent anonymity. From the 9th to the 15th day of my menstrual cycle, the fabricators would provide me with sperm samples, which I used to privately self-inseminate. Using a needleless syringe, I would inject the sperm near my cervix within 30 minutes of its collection, so as to insure the possibility of fertilization. On the 28th day of my cycle, I would ingest an abortifacient, after which I would experience cramps and heavy bleeding.

(Shvarts 2008)

Considering legal as well as ethical responsibility to those who contributed to her project, Shvarts continued:

To protect myself and others, only I know the number of fabricators who participated, the frequency and accuracy with which

I inseminated and the specific abortifacient I used. Because of these measures of privacy, this piece exists only in its telling. This telling can take textual, visual, spatial, temporal and performative forms—copies of copies of which there is no original.

(Shvarts 2008)

Shvarts had intended to display filmed footage and samples of blood she had collected over the course of the yearlong project. Huffington Post carried a description of what the final installation would have been, which comprised a large cube suspended from the ceiling of a room in the gallery of Green Hall. Shvarts will wrap hundreds of feet of plastic sheeting around this cube; lined between layers of the sheeting will be the blood from Shvarts’ self-induced miscarriages mixed with Vaseline in order to prevent the blood from drying and to extend the blood throughout the plastic sheeting.

Aliza Shvarts will then project recorded videos onto the four sides of the cube. These videos, captured on a VHS camcorder, will show her experiencing miscarriages in her bathroom tub, she said. Similar videos will be projected onto the walls of the room.

(HuffingtonPost.com 2008)

Once this was forbidden by the university, the lack of these materials exacerbated the controversy and the quickly expanding archive of immaterial documentation accumulating in virtual spaces.

Three years after the project, still refusing to make public any material traces of her piece, Shvarts wrote an article for the journal Women & Performance titled “Figuration and Failure, Pedagogy and Performance: Reflections Three Years Later.” In this essay, Shvarts returns to the doubled nature of her project, reiterating its inherent ontological instability through the project’s restriction to (and constriction by) its linguistic narrative—both the narrative generated by Shvarts herself, in response to Yale’s censorship, and that generated on the part of what became a virtual audience to a work made virtual through the ensuing controversy.

The first [element of this work] is the series of specific actions undertaken by a body over time. The second is the telling and retelling which made those actions knowable to the world. This
first element—my physical act—was designed to interrogate the capability of the female form through the intentionality of art practice, calling into question normative notions of production, reproduction, and artistic value through my own bodily experience. Yet because I performed this act in isolation, and because the Yale administration banned my planned installation of the various documentary materials collected during those acts, the latter narrative element became the piece’s dominant performative mode.

(Shvarts 2011: 155)

The ultimate breadth that Shvarts’s project achieved demonstrates the intersection of methodology and practice that Shvarts accomplished and through which her challenge to “normative notions of production, reproduction, and artistic value” was realized. This intersection occurred not necessarily in the performance itself, that remains unseen, but in the modes of online circulation through which the project traveled. As much a challenge to discursive modes of pedagogy as to the mitigated potential of the reproductive body—that is, as a test of “the true capacity of [her] form separate from the ideological functions imposed upon it” (160)—the version of the project that did become public (and, is, even through my own writing about it, still in a process of becoming), reaffirms “performance’s duration” (161). “Performance happens at the level of the body and at the level of live experience,” Shvarts writes, “yet it also exerts itself through the performativity of the documentation or language in which it is repeated.” It pushed Peggy Phelan’s “life of the performance” toward a sequence of future presents wherein one is not only writing toward disappearance but also from a perspective in time when the performance has not yet nor ever will appear, while also challenging the disciplinary and structural possibilities of re-performance. It was always going to culminate not in an exhibit of the documentation of her actions but in Shvarts’s audience’s subjective response to it; the size of the audience, however, may have been unanticipated. A question remains, however, as the traces of Shvarts’s actions remain unseen and unknowable, eventually disappearing altogether from even potential view through their own organic degradation: How do we reconcile the site (and cite) of Shvarts’s performance with its ongoing virtual reiterations? How do we reconcile the documentation of the event, to which we, as audience, have no access, with the event of its documentation, which we have ourselves created?

iii.

Performance artist Vito Acconci’s BLINKS, enacted in 1969, troubles the easy distinctions made within theatre and performance studies between event and document—in a different, but only slightly less subversive mode than Aliza Shvarts’s challenge to performance’s performative and discursive realization. BLINKS also troubles, very similar to Shvarts’s project (had it been exhibited as she had planned), the comparison Philip Auslander makes in “The Performativity of Performance Documentation” of “documentary documentation,” like the video documentation of Chris Burden’s early work, such as Shoot (1971), which functions only to record the event that occurred without further technological mediation; and “theatrical documentation,” in itself intended to be the performance, or, in which, like Yves Klein’s 1960 Leap into the Void, the “image we see thus records an event that never took place except in the photograph itself” (2006: 2). Drawing on Amelia Jones’s premise of the “mutual supplementarity” between the (performance) event and its documentation—that just as “[t]he body art event needs the photograph to confirm its having happened; the photograph needs the body art event as an ontological ‘anchor’ or its indexicality” (Jones 1997: 16; in Auslander 2006: 2)—Auslander argues that the “only significant difference between documentary and theatrical modes of performance documentation is ideological” (2–3). The site of performance, then, according to Auslander, resides specifically within the document rather than the event: “the act of documenting an event as a performance is what constitutes it as such” (5).

In BLINKS, as in a number of his other photo pieces, Acconci held a camera before him as he walked down NYC’s Greenwich Street (Figure 3.1). Each time he blinked, Acconci took a picture. The resulting performance documentation consists of a contact sheet of twelve images capturing what he missed during his walk. As Acconci describes the process in his notebooks:

—Keeping in sight: having in view, holding in view (camera as a means to “keep seeing”—when I blink, I can’t see—when I take a photograph, while blinking, I have a record of what I couldn’t see—see it later, feel it now).
—Delayed reaction: postponement: anticipation (when I blink, I know I will be seeing, later, what I am missing now).
—Performance as “double time”: I see what’s before me in the present—now and then, I know I will see, in the future, what was before me in the past.
—Art-work as the result of bodily processes (my blink “causes,” produces, a picture).

(Accconi 2006: 114)

Whereas for Accconi the photographs directly correspond to the performance that consisted of his walk, for Auslander the walk becomes not only supplementary to but also redundant in the face of and due to the fact of the photographs. Holding to the idea that an event is conditional upon “the performative act of documenting it as such,” and, further, that Accconi’s event transpired without witnesses, as passersby on Greenwich Street “would have had no way of understanding that they were witnessing a performance,” Auslander argues that the contact sheet comprising BLINKS is “more theatrical than documentary, for it is only through his documentation that his performance exists qua performance” (2006: 4).

While I agree that Accconi’s photographs attain a certain performativity via the engagement of the contemporary viewer, and thus, as Auslander suggests, become themselves “a performance […] for which we are the present audience” (10), I would suggest instead that the performance of BLINKS is not merely the product that the photographs become: rather, it is the act of missing something in Accconi’s first performance, his walk down Greenwich Street, that confirms that which remains or becomes present in the subsequent document-as-performance. It is not, then, only through the document that the piece exists qua performance, but via the performative interaction with what is present (the document) and what is absent (the act). The document becomes its own subsequent performance dependent upon that first walk, as that which is absent from both document and performance is dependent upon that which is present; neither of which compromises the fact, or the event-ness, of the first performance.

Accconi’s notes in themselves gesture toward the possibility of simultaneous presents via the act of photographing what he misses when he blinks. The “double-time” that happens in BLINKS is not only a double-time for Accconi, but also for future viewers who experience the moments he missed in the now of his walk through the now of their gaze—even as they miss the now of what he did see.
These photographic documentary traces, for me, remain ontologically incomplete without a consideration of the performance itself. While one may retrace Acconci’s steps, one cannot walk in his footsteps; while one may (re)perform BLINKS, one cannot, exactly, repeat it.

Shvarts’s project operates in a somewhat paradoxical manner—intended to be perceived only through its documentation, [untitled] senior thesis allows the enactment of the documented events to depend on the willingness of its viewers. Like Acconci’s photo pieces, Shvarts’s project exists in the visual gaps her documentation intentionally creates; and like, and yet still not exactly like, BLINKS, Shvarts’s project might be (re)performed by those who attend to its documentation, and is intended to be (re)performed, but only through its discursive potential: it, too, cannot be repeated. Following, even as it skews, Auslander’s categorization of performance documentation, Shvarts’s project is at once theatrical and documentary. How and where we locate it in the realm of the theatre (or theatrical) and the document(ary), however, is entirely contingent upon our own system of belief.

This belief is, in itself, inherently compromised by the controversy that resulted less from Shvarts’s acts, whether one believes or not that she actually repeatedly inseminated herself over the course of the year (which I do), than from Yale’s act of censorship. The conversation then that follows becomes less about the acts as a successful or unsuccessful artwork (and therefore less about Shvarts as a successful or unsuccessful, or even interesting, artist), than it does about the social and political issues on which the controversy (again, rather than the work) is founded.

As Jennifer Doyle, who takes up Shvarts’s project in Hold It Against Me: Difficulty and Emotion in Contemporary Art, writes, “Work marked as controversial is oversimplified and marginalized not only by journalists and politicians, but also by scholars and critics.” Doyle goes on, “Even those of us who defend it often do so at the cost of actually confronting the work itself: we tend to defend controversial work by asserting what it is not, what it does not do” (2013: xv). In the case of Shvarts’s work, as Doyle describes, its defenders often find themselves caught up in the semantic position of arguing that Shvarts was not “giving herself abortions” rather than taking the position Shvarts herself offers—that she was inducing miscarriages. (This is a point that itself remains unstable. Because Shvarts intentionally did not take a pregnancy test before ingesting the abortifacients, there was never proof that any of the self-inseminations resulted in fertilization.) Given the significance and fluidity of the narrative, and of narrative authority, throughout this project, the semantic, if not legal, distinction between “abortion” and “miscarriage” remained fundamental to the entire project. Shvarts writes, “I chose to call what I was doing ‘miscarriage’ rather than ‘abortion,’ as miscarriage is something that happens outside the medical institution, something that happens all the time.” She continues:

To miscarry, to carry wrongly—this is what I did. Indeed, the entire work was configured to create a physical act so ambiguous and inconclusive that the language applied to it could never be completely felicitous, drawing attention to the language itself: the reality of the pregnancy, both for myself and for the audience, was always a matter of reading.

(Shvarts 2011: 161)

The reality of the performance, for Shvarts and for the audience, too, was a matter of reading, and one’s subjective response to it ultimately became less about Shvarts’s objective actions than about how one places oneself in relation to them; the performance became all about how one feels.

iv.

Doyle offers a generous and affective reading of Shvarts’s senior year project. She discusses at length the significance of it to ongoing issues plaguing reproductive rights in the United States from the Religious Right, and how the work participates both performatively and discursively through feminist performance art and theory: “the entanglement of authorship with reproductive discourse, the assertion of patriarchal authority as a means of disabling epistemological models grounded in feminine forms of relationality […], and the hysteria when a woman throws a wrench into the gear works of reproductive discourse” (2013: 31). And Doyle highlights the controversy [untitled] senior thesis elicited in terms of its lack of reliance on actual, physical, and—given the subverted procreative elements of the project—heterosexual sex:

Shvarts evacuated all traces of romance, love, and desire from the work. In doing so, she centered the work in her body and its
processes; furthermore, she asserted full control over the representation of those processes. This brought the project into direct conflict with the thornier issues in abortion discourse.

(Doyle 2013: 33)

Doyle indicates that these “thornier issues” have everything to do with the affective understanding of abortion within broader, or more mainstream, social and political discourse. (Though Shvarts intentionally has avoided the term throughout her discussions of the project, few as they may be, it would be disingenuous to suggest that the issue of abortion is not central to most discourse, especially via mainstream media, about the work.) Even legalized abortion “remains in a category of criminalized acts for which the law makes (fewer and fewer) exceptions” (33) and Shvarts’s exerted agency over her own reproductive body not only privileged such control, including abortion, “as part of the practice of a sexual life” but also confounds the social need for “the abortive body” to be “configured as a helpless woman” (34, 36).

Doyle further argues that, while a work that strongly evokes strong feelings, Shvarts’s project necessitates a discussion “beyond the feelings we have about the work” lest we miss its “very concrete challenge that pregnancy, reproduction, and the decision not to reproduce pose to our ways of thinking about the self and others” (39). However, while Doyle asserts that Shvarts’s silence on her own feelings about the project and the controversy it ignited “mirrors the erasure of the female body for representations of abortion,” I believe that there is a more nuanced silence at work in Shvarts’s refusal to share.

In the pro-life debate, the pregnant woman’s body is not just secondary to but sublimated by the rights of the fetus. Such disregard extends even to women who intentionally and happily carry out wanted pregnancies—“fetal desires are at war with the mother’s desires, with her appetites, with her illnesses, with her vices,” Doyle writes, alluding to ongoing debates concerning “fetal personhood” and “fetal autonomy” (37–38). Having recently experienced one unsuccessful and one successful pregnancy in close progression in my own life, I can attest to the hostility encountered, not only from the medical industry but also from other women, in even the most mundane circumstances. Who knew that controversy might erupt if a pregnant woman in North America considers eating something as seemingly urbane as deli meat—not to mention the dire consequences of being seen partaking of the occasional sip of wine even after the first trimester?

There is another dimension to the silences evoked by Shvarts’s project that has mostly gone unmentioned in the discourse surrounding this piece—which too often is referred to as the “abortion” piece even when it comes up in the casual conversation of conference breaks and office hours. I read into the silences Shvarts created by withdrawing initially from the public discourse about her work to parallel the silencing not only of the abortive body, but of the unsuccessful pregnancy as well.

There is very little room in public discourse for the involuntary loss of a child. The abortion debate remains front and center in public discourse; the experience, for both partners, of the tenuous first trimester of a pregnancy or during the tragic loss through miscarriage or stillbirth remains mostly muted. The latter may very well be linked to the former, in that, as Jessica Berger Gross writes in the introduction to her edited collection of essays about miscarriage, About What Was Lost: 20 Writers on Miscarriage, Healing, and Hope, such silencing of the experience of a miscarriage “might be a necessary by-product of the heated debate on abortion, with feminists like [herself] unwilling to publicly mourn the loss of a fetus for fear of giving legitimacy to pro-life views” (2007: 13). No matter the reason for silence, whether personal or political or, more likely, a combination of the two, that time before one feels comfortable enough to announce to the world in some fashion or other that there may be a new human being among them sometime in the next three to six months is a terrifying and lonely void. The loss of any pregnancy before the second or third trimester goes within the public realm mostly unmarked and un mourned, and the personal, social, and professional ramifications of such a loss for both expectant parents are subsumed as a mere murmur within the larger noise surrounding the reproductive rights debate.

I bring up this unremarked facet of the discourse around Shvarts’s work because, in my mind at least, this is still very much a part of the work, even if inadvertently so. Miscarriage is, as Shvarts says, “something that happens all the time.” It is, in fact, something that happens in 20 to 25 percent of all pregnancies (Gross 2007: 15). As such, the experience that Shvarts re-creates in the privacy of the Connecticut hotel rooms in which she enacted her repeated self-insinuations is, if not structurally or formally something a significant demographic of women might empathize with, certainly an
experience with considerable affective resonance to those women. When Doyle concludes her section on Shvarts by indicating that in Shvarts’s withdrawal from public discourse “she also raises the possibility that she felt nothing,” thereby “mak[ing] the rest of us do all the feeling instead,” I am not so sure, inundated by my own depths of feelings as I am, that there was nothing for Shvarts to feel.

In “Figuration and Failure, Pedagogy and Performance,” Shvarts semantically at least accounts for her feelings about the project, from its conception through its thwarted completion, three times—in terms of how she feels about the project her senior thesis turned into after Yale’s intervention (2011: 155); in terms of how she situated her senior thesis within the rubrics of artistic practice and pedagogy (159); and, most significantly, in terms of a “feeling with” other works that influenced her thesis (156). Shvarts cites several works that informed her thesis project, including Hans Bellmer’s 1934 doll project, Stan Brakhage’s 1971 film The Act of Seeing with One’s Own Eyes, queer and feminist art from the 1970s, as well as “the unlikely perspective” offered in “the hyper-violent and hyper-sexualized exploitation films Bloodsucking Freaks (1976) and Cannibal Holocaust (1980) (2011: 156-157), locating, as well, the theoretical methodology that she explored through it. “I have always understood my performance as a way of relating to a community or collectivity of practice, a lineage or ethic of making that I am going to call figuration and failure,” Shvarts writes:

By figuration, I mean the ways in which a body becomes sensible to a viewer through visual and linguistic representation. By failure, I mean that which is not reconciled to normative standards of value or meaning and falls outside the bounds of functionality of progress, remaining culturally legible while resisting the hegemonic terms of that legibility. Together, figuration and failure deploy the body as both a lens to make ideology explicit and as a tool to re-form it. (Shvarts 2011: 156)

**Feeling with** these pieces, through the theoretical framework of figuration and failure, creates a relational aesthetics shared by these works and Shvarts’s own, as well as by Shvarts’s work and us, the audience to it. We are invited not only to feel about Shvarts’s project but to feel with Shvarts through it.

This feeling with—a prepositional state that “engenders a sense of belonging to something not yet here” (156)—is not unlike the “falling-through” I introduce in my first chapter: the relationality between Richard Drew’s image of the man falling from the World Trade Center on September 11, 2001, and those works and media the photograph then travels through. As Shvarts invited us to consider these pieces in relation to her own, as well as the issues underlying the agency one maintains and loses over one’s own body, her project remains “not yet finished, never yet begun” (155), contingent upon remaining in a state of process.

However, as the conversation around Shvarts’s work evolved into one more concerned with the controversy it generated than with the project itself, the sense of feeling with was consumed by the feeling about—and a feeling about miscarriage and abortion rather than about reproductive rights. Concerned more with the implications of the acts Shvarts may or may not have committed to a (reproductive) body than the sovereignty Shvarts asserted over her body by engaging (even discursively) in the acts themselves, the virtual audience that usurped Shvarts’s performance responded to it as if they were privy to what happened in the Connecticut hotel room. They marked the reproducibility of their response not through the reproductive capacity of a woman’s body but through the Internet’s iterative potentiality, and in so doing claimed, over and over, and over again, their own position of sovereignty not only over the project but, more significantly (and more invasively), over Shvarts’s body. Ultimately, [untitled] senior thesis replayed the ongoing debate about legislation that claims agency over a woman’s rights concerning her body over and through Shvarts’s own body.

V.

“The Internet is uniquely qualified as a venue for public shaming, it is a town square big enough to put all the world’s sinners in the stocks,” writes Ariel Levy in her New Yorker article “Trial by Twitter.”

Activists have gathered online to condemn advocates for abortion rights (and against them) in the US, a cyber bully in British Columbia, a woman in South Korea who failed to curb her dog. In China, an army of vigilantes known as the “human flesh search engine” exposes corrupt politicians and cheating
spouses. [...] By the logic of vigilantism, the need for justice
supersedes the rules of a creaky bureaucracy. But that assumes
that the accusations are correct.

(Levy 2013)

Levy’s article tracks not only the role social media played in the
circulation of images and information concerning the rape of a six-
teen-year-old girl from West Virginia by two of her high school
classmates on the night of 11 August 2012, but how such media
became a distinct part of the crime itself.

The girl from West Virginia, as she has become known in the press
because of her status as a minor at the time of the rape, attended
two parties in Steubenville, Ohio, an economically depressed steel
town just west of the Ohio River. Steubenville is the home of Big
Red, the affectionate moniker for Steubenville High School, and it is
a school that, like many in the Ohio Valley, takes its boys’ athletics
very seriously. For some time leading up to the parties, the sixteen-
year-old girl had been “talking to”—a phrase, as Levy clarifies, that
might involve “spending time together or just courting through
social media”—the sixteen-year-old quarterback from Big Red,
Trent Mays; she had also been “talking to” a friend of Mays named
Anthony Craig. Though most of the students attending the first party
of the evening were drinking, the girl was “unusually intoxicated,
and people talked about it.” After the first party broke up around
midnight, and against the advice of her girlfriends, the girl from West
Virginia got into a car with a senior named Mark Cole, Trent Mays,
and another sixteen-year-old, a linebacker and honor-roll student
named Ma’lik Richmond, and together they went to a second party.

At the second party, Levy writes, the girl from West Virginia
threw up in the bathroom. “She was very drunk,” Cole recalled,
“like she wasn’t fully capable of walking on her own.” It was
a smaller gathering, of about a dozen teens, and, not long after
the group arrived, the host’s mother came downstairs and
said that anyone who wasn’t sleeping over had to go home.
Anthony Craig said later that he remembered Mays and Ma’lik
Richmond carrying the girl from West Virginia outside.

In front of the house, she sat down in the middle of the street
and vomited again. That, she says, is the last thing she remem-
bers about the night of August 11th.

(Levy 2013)

The girl from West Virginia still has no recollection of what hap-
pened after she passed out that night, nor is there any physical
evidence that these boys perpetrated a crime. The evidence that
police did ‘compound was ephemeral, and damning: tweets, an
Instagram photograph of Mays and Richmond carrying the uncon-
scious girl by her wrists and ankles, and a twelve-minute cell-phone
video uploaded to YouTube of Michael Nodiano, a recent Big Red
graduate, narrating, with great artistic license, what had happened
to the girl from West Virginia. Together these proved not only that
Mays and Richmond sexually assaulted the girl from West Virginia
while she was unconscious, but also that they did so while their
friends watched and recorded them, and then uploaded the images
to the world wide web.

Trent Mays and Ma’lik Richmond were both tried as juveniles
and were both “adjudicated delinquent”—the equivalent to a guilty
ruling in juvenile court. Richmond, convicted of rape, was sen-
tenced to one year in juvenile detention and ordered to register as a
sex offender for the next twenty years; Mays, convicted of rape
and disseminating child pornography, was sentenced to two years
and was also ordered to register as a sex offender (2013; see also
WTRF.com 2014). Richmond, who began serving his sentence on
1 April 2013 was released on 5 January 2014, having spent just
over eight months in jail following his sentencing. Since Mays and
Richmond’s trial, four adults have been indicted for their involve-
ment in covering up the assault on the girl from West Virginia,
including school superintendent Michael McVey, elementary
school principal Lynette Gorman, wrestling coach Seth Fluharty,
and volunteer assistant football coach Mike Bellardine (Levy
2013). Neither the students who witnessed the assault, nor those,
including Nodiano, who contributed to the online perpetuation of
information about it were charged with anything, though two girls,
ages fifteen and sixteen, were charged in March 2013 with “intimi-
dation of a victim, telecommunications harassment and aggravated
menacing” after sending death threats over Twitter to the girl from
West Virginia (Welsh-Huggins 2013).

DIY-detective blogger Alexandria Goddard posted screen shots
of all of the original tweets and Nodiano’s YouTube video on her
blog PrinMinniefield.com between August and September 2012, and
in its attention to the way information about the assault on the
girl from West Virginia spread, Levy’s article focuses as much on
Goddard as on the sixteen-year-old victim. Levy’s article, like the
crime, creates an uncomfortable tension between narratives—the story of what “really” happened, as witnesses testified on the stand during Mays and Richmond’s trial, was often confused with online narratives (Levy 2013). As Levy writes, “In the months since the rape case became a national story, it has been difficult to distinguish between virtual and physical reality in Steubenville” (2013).

It is not without a significant degree of hesitation and consideration that I juxtapose Aliza Shvarts’s senior year art project that Yale censored with the rape of the girl from West Virginia. I have decided, after similar consideration, not to go into gruesome detail about the acts committed by the girl’s peers. They are all too easily found online—as is the girl’s name. But while I will name all the others involved with the crime here, I will not name her. As Jane Hanlin, the Jefferson County prosecutor—the woman initially responsible for Mays and Richmond’s trial, and who, before recusing herself, wanted to try the boys as adults—told Levy, she “was disgusted with the teens who abused the girl from West Virginia, but she also felt that the bloggers had exploited the victim they were purportedly rescuing.” As Hanlin argued, without Goddard’s attention in particular, “the young girl would not have endured nearly the exposure that happened throughout the country. What the bloggers did was make sure that five hundred million people saw those pictures of her” (in Levy 2013).

I bring this case up, this case which is not nearly the only one involving the distribution of violating and incriminating photographs of sexually assaulted young women, because it, like Shvarts’s project, engages a woman’s agency over her own body and sexuality, and because it, also like Shvarts’s, took place “in real life” as well as virtually (though I cringe as I make that comparison). But I bring this up as well because I too, though in a different way, am a “girl from West Virginia.” I grew up in Wheeling, West Virginia, just across the Ohio River from Steubenville, and my first sweetheart was a student at Big Red. He was a band geek (as was I), not a football player, and my high school experience was sedate even for the mid-1990s, much less the twenty-first century. But I am not unfamiliar with the particular favor and promise a town on the other side of economic decline imparts upon its athletic stars—and with the immediate suspicion not only of anyone who might question or challenge their position, but especially of any mere girl who may do so.

The Steubenville rape case is not the first (or, sadly, the last) rape to happen in Steubenville, nor, as I have already indicated, is it the first, or last, of recent cases in which social media has played an evidentiary role. Levy recounts an incident in Nova Scotia in which a teenage girl hanged herself after allegedly being raped by four boys who then circulated a photograph of the rape; as well as a Connecticut case in which, after the arrest of two eighteen-year-old boys accused of raping two thirteen-year-old girls, classmates launched a Twitter assault on the girls for “acting like whores” (2013).

There was as well, on 1 January 2014, a Twitter hoax involving a graphic photograph of an unconscious young woman and an extended feed about her condition. The feed began with a post from a user going by “Lil Juan” in Cobb County, Georgia, that read, “Somebody put something in her drink, anyways, me and my brother bout to rape this bitch” (in Leshan 2014). Local authorities discovered that two teenagers had fabricated the account with photographs from another, unnamed, website. And as a grotesque aside the user “[joo” on UrbanDictionary.com defines a “Twitter Rape” as “When so many twitter posts are being sent to your phone that it renders the phone unusable. I would have called you but my phone is being twitter raped” (2009).

What, to me, marks the Steubenville rape case as indicative of a major shift in social relations is in the ways in which the teenagers involved failed to distinguish between what previously would have been rumor or hearsay and what here amounted to proof. That is, by misconstruing the tweets, Instagram photographs, and YouTube videos by which both the indicted and implicated teenagers disseminated graphic and gruesome, and at times fabricated, details about what happened to the girl from West Virginia the night of 11 August 2012, as ephemeral, as able to delete and therefore to deny, the teens misconstrued what constituted the “real.” Rather than the atrocities the teens committed—those who raped the unconscious girl as well as those who watched and then electronically shared the recording of the act—it was the ephemeral that stood in as evidence, and therefore as the real. It was the documents in the Steubenville rape case that became the “really real,” and for which Trent Mays and Ma’lik Richmond were ultimately convicted.

It becomes difficult to differentiate between the crimes committed to the girl from West Virginia, both the physical violation of her body and the concurrent and subsequent violation that happened over social media. The act of documenting the rape and then distributing information about it via the same networks through which the
teenagers plan parties like the one where the crime occurred is only barely less heinous than the rape itself. By failing to conceive of these messages and images sent through social networking as real in and of themselves, these teenagers also failed to identify the crime, even as it was happening, as real. Beyond the base error in understanding what constitutes rape—that, according specifically to Ohio law, violation or assault of any sort while someone is unable “to resist or consent” due to “a mental or physical condition” is a felony of the first degree—not only did these boys fail to perceive their actions as “real rape,” I contest that their disillusion went beyond imagining even that the acts they perpetrated against the unconscious girl might be a mere hoax or joke, like “Lil Juan.” They did not conceive of any of their actions, as they perpetrated them, as real.

While it is difficult, though certainly not impossible, to discover the girl from West Virginia’s name through an only slightly circuitous Google search, it is too easy to find the photograph of Mays and Richmond carrying her unconscious form. Though the girl is retroactively blurred in the image so as to hide her underage identity, I still feel implicated in the crime through my access to it—by inadvertently having it appear in my search results, I am by default choosing to view it. This is not unlike the photographs I inadvertently access through my research for this book, and that replay in my memory as I write these words. Yet, while one can afford the Falling Man from Drew’s September 11 photographs some degree of grace, there is no grace in this image. This image in itself stands in both for the atrocities committed to the girl from West Virginia and, through its circulation, stands in as well for the girl. Just as I argue that the virtual discourse that stood in for Shvarts’s project ultimately overwhelmed her corporeal body rendered virtual, this image, as evidence but also as information made public, too, overwhelms the body of the girl from West Virginia.

vi.

Both Aliza Shvarts’s senior year project at Yale and the Steubenville rape case create scenarios by which truth is contingent not upon an event but upon available documentation of the event. And both re-position the site of the controversy not in the “real” world, but in the virtual; in both, it is the virtual document and documentation that determine what ultimately is understood to be, not true, but real.

Social media expert danah boyd, in her contribution “Participating in the Always-On Lifestyle” to The Social Media Reader, denotes the distinctions between “virtual reality” and “augmented reality,” and as well as those between an “industrial” and an “information economy.” Delineating how the ubiquity of social media technology determines how we conduct ourselves in our daily lives, from its most mundane to its most intimate parameters, boyd defines the idea of the “always-on lifestyle” as less about exchanging the messy corporealties for an entirely virtual experience than about incorporating the expanded technological parameters into the messier real-world: “While many old-skool cyberpunks wanted to live in a virtual reality, always-on folks are more interested in an augmented reality. We want to be part of the network” (2012: 74; emphasis added). Less a matter of a rupture within social relations, technology extends the potential of such relations.

This reflects not only a shift in social interaction, but a shift in what constitutes “knowledge” as we move from an industrial to an information economy. Considering the possible consequences of living one’s life within the augmented public sphere that new social media technologies enable, boyd writes:

There is a fear that participating in a public culture can damage one’s reputation or that constant surfing means the loss of focus or that always having information at hand will result in a failure to actually know things. But aren’t we living in a world where knowing how to get information is more important than memorizing it? Aren’t we moving away from an industrial economy into an information one? Creativity is shaped more by the ability to make new connections than to focus on a single task. And why shouldn’t we all have the ability to craft our identity in a public culture?

(2012: 75)

In both the very public and very personal attacks on Aliza Shvarts, based on the public’s supposition of what really happened when (or because) Shvarts deliberately withheld evidence of her actions, and on the girl from West Virginia, based on the public’s supposition of what really happened despite having excruciating evidence of the boys’ actions, the fears boyd dismisses in favor of personal agency over one’s online identity are fully realized. The ways in which the punitive discourse online extended into the real lives of
both of these young women and their communities (the broader art community in Shvarts’s case; the divided lives of residents in the Ohio Valley in the case of the girl from West Virginia), however, confirms that the virtual can no longer be so easily separated or even distinguished from the real: we truly are enacting and living in an augmented reality. Though the benefits to such a reality may ultimately outweigh its harms, the new knowledge system boyd iterates here depends on both the mode by which one receives this information and that the information is, in fact, not only really real but really and actually true.

vii.

I have, since beginning research on Aliza Shvarts in 2011, had several occasions to correspond with her about her thesis project. One such occasion presented itself in an unanticipated and strangely intimate space. As part of the conference The Affect Factory: Precarity, Labor, Gender, Performance, held at NYU in February 2012, Shvarts was performing Please come find me II in a closet under a set of stairs at the Barney Building on Stuyvesant Street (Figure 3.2). Shvarts invited participants in, one at a time, allowing us to ask her to do something we thought neither of us had ever done before. And so, I asked her about her project at Yale. And she answered. But, according to the contract of this performance, I have agreed not to speak about our conversation. Maybe that is because I asked the wrong questions. Or maybe it is because I asked the right ones. Either way, I’m not telling.

In her review of Dave Eggers’s 2013 novel The Circle, Margaret Atwood writes:

Publication on social media is in part a performance, as is everything “social” that human beings do; but what happens when that brightly lit arena expands so much that there is no green room in which the mascara can be removed, no cluttered, imperfect back stage where we can be “ourselves”? What happens to us if we must be “on” all the time? Then we’re in the twenty-four-hour glare of the supervised prison. To live entirely in public is a form of solitary confinement.

(Atwood 2013)

References

Not yet finished, never yet begun


Notes

1 While there are several “Greg Hughes” on Twitter, this particular account is no longer active.

2 BuzzFeed hired Politico’s Ben Smith to at least partially legitimate the venture (see Stoeffel 2011).

3 The National Institute of Health defines a miscarriage as follows: “A miscarriage is the spontaneous loss of a fetus before the 20th week of pregnancy. (Pregnancy losses after the 20th week are called preterm deliveries)” (National Library of Medicine 2014).

Chapter 4

Speaking truth to stupid
Aaron Sorkin’s Episode “5/1” and the reassignment of truth

I believe the jihadists timed their hijackings as a one-two punch for maximum spectacular effect, synchronized to the morning news cycle in New York and midday in Europe. Their intention was not to kill as many people as possible but to reach as large a spectatorship in the West as possible. The World Trade Center was the epicenter not only of the attacks but also of the imaginary that is 9/11. And what kind of imaginary is that?

But does reality actually outstrip fiction? If it seems to do so, this is because it has absorbed fiction’s energy, and has itself become fiction. We might almost say that reality is jealous of fiction, that the real is jealous of the image.... It is a kind of duel between them, a contest to see which can be the most unimaginable.

Episode “5/1,” the seventh of Aaron Sorkin’s TV series *The Newsroom*, begins at a party celebrating the one-year-and-one-week anniversary of “News Night 2.0,” the fictional show-within-a-show set in the recent past of New York City. Young, sexy-smart newscasters and producers play word games, drinking games, chess, guitar, and Guitar Hero while the charmingly irascible news-division president Charlie Skinner (Sam Waterston) receives a Deep Throat-esque tip alerting him to an impending White House bulletin that will become a major news event. Hijinks ensue—or, rather, high-jinks: “News Night” front man Will McAvoy (Jeff Daniels) is stoned when he goes on air to break the story. “5/1” ends with a cut from