



## FIELD REPORT

## FOLLOW THE IMAGE

JOY GARNETT

JOY GARNETT STUDIED PAINTING AT L'ECOLE DES BEAUX-ARTS IN PARIS AND COMPLETED HER MFA AT THE CITY COLLEGE OF NEW YORK. HER THIRD SOLO EXHIBITION, "RIOT," OPENED AT DEBS & CO., NEW YORK IN JANUARY 2004, AND PRESENTED NEW PAINTINGS BASED ON NEWS PHOTOGRAPHS OF FIGURES IN STATES OF EMOTIONAL OR PHYSICAL EXTREMITY. SHE IS CURRENTLY WORKING ON A PROJECT ABOUT WAR AND GLOBAL NOMADISM CALLED "LOST HIGHWAY."

**ABSTRACT** New York artist Joy Garnett outlines her methods as a painter who works from sampled or found images. She discusses her relationship to her sources, which have included science photographs, declassified military and news media imagery. She describes the challenges she has encountered while working with different types of source material: from technical obstacles (invisible phenomena that require lenses and other optical devices) to socio-political mediation (government secrecy and the search for declassified imagery), to legal encumbrances (accusations of "piracy" and copyright infringement regarding a sampled image). Garnett explains her sense of the continued relevance and critical potential of art in light of these challenges, specifically the uses of painting in an age of mass production and digital technology.

## FOLLOW THE IMAGE



I am crazy for images. I spend part of every day trolling the Web, collecting photographs and video stills. I gravitate toward scenes of political crisis, social unrest, war and disaster – images one normally sees in newspapers and on television. Because images in the media go by quickly, I feel compelled to stop them and keep them from slipping away. Once an image is isolated on my monitor I can control it; by printing it out I make it “mine,” at least for a short while. Eventually I’ll make a painting based on it. Of course, these images are hardly mine; I am just one of many potential authors. Circulating in the public domain where they are copied, recycled and remixed for different purposes, media images are open to a variety of appropriations, uses and recontextualizations.

I tend to let my printouts sit for a while in folders. As time goes by their original context becomes difficult to remember and impossible to decipher, if one relies solely on visual evidence and memory. In this way they gradually become more generalized pictures of someone’s fear or anger, of protest or an explosion or a war. I lay my prints out on the floor, shuffle them around, crop and fold and try different things with them. The images themselves offer no resistance to this game. As I work, I become aware of an overarching “media narrative” – a loose confluence of news, advertising and entertainment, of constructed meanings, purported truths and generally held versions of events. The media narrative reinforces itself through repetition, and to some degree it influences our understanding of events as they unfold in regions remote to us. Though powerful and ubiquitous, it is subject to mitigating factors and from time to time spins out of control. We live in its thrall, by turns consuming and contributing to it, intentionally or unconsciously. My artwork taps into the media narrative in order to turn it into something else; I slow it down and rework bits of it. The resulting paintings are infused with this generalized narrative, yet they function slowly and ambiguously on some obscure, yet intimate level. I relish trafficking in the tensions that exist between these contradictory vehicles of information and expression.

## MOLOTOV COCKTAIL

Sampling mass media has raised interesting questions for me about authorship and ownership at a time when these concepts and the laws that apply to them are being fought over and redefined within the context of new technologies and digital culture.

In January 2004 I mounted an exhibition in a New York gallery comprised of eleven paintings based on news images. It was called “Riot” and presented figures in moments of extreme emotion or physical distress. The subjects varied from World Trade Organization protestors, to skinheads, religious celebrants and punk rockers. The source images were sampled from various mainstream news, indie and solidarity websites, ripped from their original publication



**Figure 1**  
*Air Strip* (2003) 44 × 84 inches

*Note:* These figures represent paintings (oil on canvas) that are registered under a Creative Commons license by the artist.



**Figure 2**  
*Laylah K.* (2003) 26 × 36 inches



**Figure 3**  
*Molotov* (2003) 70 × 60 inches. Based on an original image by Susan Meiselas. Copyright Susan Meiselas/  
Magnum Photos, 1979.

contexts, retaining only their raw emotive qualities and a general, disquieting sense of their possible origin.

The painting chosen for the exhibition announcement depicts a long-haired youth in a beret throwing a Molotov cocktail. It measures 70 × 60 inches, the figure, blown up to larger than life-size, twists off the canvas as he pulls his arm back to throw the flaming bottle. Typical of the paintings in the exhibition, “Molotov” shows a figure at “a moment of truth” but without any explicit details of his struggle.

Halfway through the exhibition I received an e-mail from an acquaintance. He had gotten my announcement card and recognized the Molotov figure from what he characterized as a well-known photograph; he wanted to know if I had first obtained permission from the photographer to use it. This acquaintance is a photographer himself, and is particularly concerned with permissions, having made a career of taking photographs inside highly restricted government facilities. When I asked if he might be mistaken, he sent me the link to the website of the photo agency Magnum where I could view the image myself.

It was indeed the source for “Molotov” entitled *Nicaragua, Esteli, 1979*, by the renowned photojournalist Susan Meiselas. The jpeg I had grabbed from some anarchist website a year earlier represented a fragment of the original photograph’s central figure. In the original, the figure is foregrounded in a landscape containing sandbags, a tank and several other figures; in his other hand he brandishes a rifle.

I soon discovered that this image was part of a well-known photo essay shot in the 1970s. The series was published by Magnum in 1981 as a book of seventy-one images: “Nicaragua: June 1978–July 1979” – a form that straddles reportage and art. In terms of reportage, it is of a genre of war photography that adheres to the ideal of “transparency”; in terms of artistic expression, it is the product of a skilled practitioner with clearly stated sympathies, produced in homage to a revolution and dedicated to those who suffered its toll. But these two things, journalistic transparency and artistic expression, traditionally, have been at odds. Perhaps to preempt a critical dart or two, a blurb by the pop-Marxist John Berger is included on the back of the book declaiming that the photographs avoid “the aesthetization of violence” through the exercise of “enormous control.” That claim aside, it was the beauty mixed with brutality, and not the context of the Molotov thrower’s struggle, that drew me to him.

A quarter of a century after this photograph was shot, when digital technologies – copying and instantaneous transmission of information – have eroded to no small degree the capacity to control the use and distribution of images, I got another glimpse of this “enormous control” projected in the form of a legal letter. It arrived a week after my show closed. Susan Meiselas had hired a lawyer who threatened me with an injunction. I was charged with copyright infringement and “piracy” regarding the painting “Molotov,” which, the letter asserted, was a derivative work based on the preexisting photograph copyrighted by Meiselas. “Derivative” is a legal term;

under US copyright law, the creator of the original retains rights to reproduction, modification, distribution and display of all derivative works.

Among other things, Susan Meiselas claimed the right to grant or refuse permission for future reproductions and/or exhibition of the painting. This didn't seem to be about money; it was about control. The lawyer intermittently sent emails, letters and phone calls demanding that the image be removed from my and my gallery's websites; most emphatically, they wanted to know where I had found the "pirated" image. The unauthorized existence of images, whether they be online thumbnails of my painting or unattributed fragments of the original photograph, seemed to be at the heart of the matter here.

I consulted my lawyer, and several points were clarified: Copyright owners' rights are limited by the concept of "fair use," which grants privilege to use copyrighted material without the consent of the copyright holder. This means simply that the author of a new work does not have to ask permission from the author of a preexisting work in order to sample or build upon it for certain purposes. Under the Copyright Act, fair use would extend to purposes such as criticism, comment, news reporting, teaching, scholarship or research. There is a concept in copyright law known as "the idea/expression dichotomy," which describes some of the limitations imposed on copyright in the United States Constitution. Copyright protection does not extend to facts, ideas or concepts; copyright extends only to the "expression" of ideas, not to the ideas themselves. My situation then begged the question: to what extent do photojournalistic photographs represent artistic, subjective "expression," and to what extent do they portray, in the interests of transparency, "facts"? If the figures and events portrayed are not simply elements of the photographer's imagination, if indeed they are real people engaged in historic acts, they do not simply constitute those elements of artistic expression that can be copyrighted, and therefore they cannot be made the exclusive property of one author.

Furthermore, the conditions required for fair use, "criticism, comment, news reporting, teaching, scholarship or research" (in other words, to ensure that such activities may flourish with a minimum of restrictions) are significant with regard to the freedom and leeway enjoyed by photojournalists. Despite the artistic value of photojournalistic work, such photographs portray real-life figures engaged in historic acts who tend to remain anonymous; photojournalists are not required to ask permission from people before taking their photographs in the public domain, nor do they have to identify them; war photographers do not obtain releases from their subjects. Regarding the Molotov thrower, a friend who was following the situation observed ironically: "Who owns the rights to this man's struggle?"

This episode points to some of the confusion that shrouds the use of images in the mass media. If issues of transparency and neutrality are central to photojournalism and its self-described mission, does it make sense for journalists to make claims of transparency – allowing

the facts to “speak for themselves” – while in the same breath limiting the types of commentary and interpretation of those facts? Are we to reconsider war photographs – reportage – as vehicles for their authors’ opinions to be understood as a form of artistic expression? On the other hand are news images ever really “neutral”? Can meaning be fused to an image to guard against spin and distortion? As far as I can see, not even an overzealous army of copyright lawyers can enforce such controls.

### JOYWAR

When I first became embroiled in this lawsuit I posted a short letter to an online discussion list hosted by an organization called Rhizome.org, of which I am a member. The letter outlined my basic situation, leaving out names and particulars. My objective was to open the subject up to discussion without jeopardizing anyone’s privacy. At the time, I wasn’t at all sure what would happen or where I stood legally, and I wanted to see to what extent I could count on grassroots support. I knew that the members of Rhizome – mostly new media artists and educators interested in the issues surrounding digital culture – harbor a general disdain for anything that might encumber or inhibit innovation and creativity facilitated by new technologies.

The list members eagerly took up my cause as their own. When I announced that I was taking the image off my website, people began putting copies of “Molotov” on their own sites in a gesture of solidarity. Someone declared “Joywar” and before I knew it a “virtual sit-in” was taking place on my behalf. “Joywar” was a reference to “Toywar,” the 1999 battle between Zurich-based net.art collective etoy.com and eToys, an online toy vendor. The retailer issued a court order to close down etoy.com, arguing that toy shoppers who mistakenly accessed the art site would be offended by its content. In an act of “electronic civil disobedience,” etoy supporters bombarded eToys.com, overwhelmed its servers, helping devalue its stock to \$1.00 per share. When it was all over, the toy corporation had lost five billion dollars worth of equity in eighty-one days and etoy.com retained the rights to its name.

So “Joywar” was the new “Toywar.” Friends and strangers, net.artists and designers, bloggers and cognoscenti of the issues surrounding file sharing, piracy, sampling and remixing began circulating the jpeg of “Molotov” and making protest art from it – digital collage, interactive net.art, ASCII art, software animations, etc. Various web logs and online bulletin boards posted links to the agitprop and summaries of our discussions, enjoining readers to appropriate “Molotov” and make art based on it. In the space of a few weeks “Joywar” had sprung up all over the Web, spread like a virus via RSS feeds and news aggregators. This continued for several months. Sniffing a new angle for a story about piracy and free expression, staff writers for the *New York Times* and *Wired* contacted me, as well as a legal columnist for Baltimore’s Daily Record. Feeling the

need to be prudent, I discouraged them. It was over: the threat of an injunction had been dropped the moment I removed “Molotov” from my website; but had it gone to court, I now knew, the grassroots support would have proved ample.

The story of “Molotov” and the figure of the angry, handsome youth throwing a flaming bottle – a Pepsi bottle no less – provides the perfect emblem for struggle, in this case the struggle for artistic expression in an atmosphere of increasingly oppressive corporate regulation. Of course, I wasn’t being sued by Pepsi, nor was this an issue of corporate branding. It was one artist suing another, and the other second-guessing what the real reasons might be. My creativity under the privilege of fair use was being threatened, and it was costing me money merely to hold my ground. The whole episode is an indication of the polarized, charged atmosphere that currently exists between two camps: those who fear the loss of control of intellectual property, and those who recognize that our customs and conventions must continue to evolve, catch up – as they have in the past – with the potential for innovation based on new technologies. As with all new technologies, past and present, growth in a creative culture always meets resistance. Innovation always brings risks, and a shift – not necessarily a loss – in control.

## **DR. STRANGELOVE**

Although the focus of my work is the mediated image, I didn’t always paint images culled from the mass media. There was a time when my focus had to do with scientific imagery – mostly things viewed through a microscope. My initial interest in this subject came through working with my father, a biochemist who founded his own research laboratory. I grew up playing and working in his lab where invariably the most interesting events were the invisible ones that required lenses or other devices in order to be observed. These microscopic and submicroscopic processes were usually photographed or recorded so as to produce a visual document. I came to understand in a hands-on way the importance of images to the interpretation of biochemical reactions. I later became interested in the problem of visual representation itself, and before long the precise nature of my engagement revealed itself: I wished to investigate not merely the mechanics but also the philosophy and assumptions behind rendering the invisible visible. Here is a process that no matter how mechanized still involves a degree of human judgment to negotiate questions of beauty, palatability, fairness, manipulation, approximation – and error. Hence I would spend my life thinking about and making images for artistic, not scientific purposes.

Initially my idea was simple enough: to paint what is not visible to the naked eye, to reinterpret photographic images in an expressive, subjective medium. Science photographs in particular tend to be taken at face value, understood as neutral or “factual” records; but I understood them to be highly sophisticated constructions meant

to convey a principle or theory. The historic transition from scientific illustration to photography interested me, as did early photographic techniques used by scientists; the discourse of scientific observation and illustration clearly marked a shift away from subjective human error toward more mechanical and therefore more “neutral” and “objective” recording methods. My inclination was to reveal the manipulation behind technical and scientific photographs and their inherent lack of neutrality, even to suggest their functioning vis-à-vis the viewer on an ambiguous, emotional level.

I collected images as raw material from a wide array of imaging devices, including rapatron stroboscopes, phase and electron scanning microscopes, telescopes, X-rays and Magnetic Resonance Imaging (MRI). New projects grew out of whatever material fell into my hands. At one point I came into possession of a large number of chest X-rays that had been dumped on the street outside a doctor’s office. I chose several to paint, affixing them one at a time to a light box; to the non-medical eye they revealed an unexpected poignancy. I wondered why they had been discarded – had the patients died? I could not help but be struck by the overwhelming sense of mortality emanating from the glowing bones, gaping cavities and luminous entrails.

I soon realized that to better facilitate my search for images, my research methods had to change, and so I gradually entered the realm of online search engines. My searches led me into research sites and laboratory image banks of every kind. I collected and printed out images from the Web while compiling photomicroscopy from my father’s latest experiments, and sorted them for various painting projects.

And then one day while watching an old movie, something changed.

It was “Dr. Strangelove” (1964) by Stanley Kubrick. The last sequence comprises short clips of nuclear detonations filmed over the Pacific. Seen from the air they seem beautiful, dreamlike. I got my camera, played them back and shot a few images off the screen.

Here was a form of mediation I had not considered: government secrecy. From that moment I became preoccupied with the declassified image, and I wondered about the latent power of images that lay hidden for decades before being released into the public domain. I decided to paint subjects that were “invisible” in a different way: events whose meanings had been obscured by ideology and secrecy, and that could not be directly observed for reasons of extreme physical danger, national security, or both.

My interest in Cold War era nuclear test shots led me away from the realm of pure science – photomicroscopy, medicine, astronomy and such – into the unfamiliar areas of technoscience and military culture. I searched government sites for available imagery and information about obtaining declassified films. Photographs and footage were at first difficult to find, but eventually I found the threads of a seemingly endless supply of visual documentation coming out

of military industrial culture, the Cold War in particular. I became aware of the extensive nature of the US government's photographic documentation of its own operations. I considered the importance accorded such images by a government that had spent enormous amounts of money and effort to produce and then hide them, only to eventually declassify, digitize and preserve them. I came to see how, like photographs in a research laboratory, images play a key role in the interpretation of weapons effects and military operations. Just as in science, these photographs were not neutral entities, not mere recording devices, but highly sophisticated constructs meant to convey events in a certain light.

My search for declassified imagery led me to the cutting edge of imaging technologies and straight to network culture with its issues of security and surveillance. It brought me into an area where interconnected concepts, technologies and organizational entities were being theorized and written about: invisible networks, the Freedom of Information Act, DARPA, the development of high tech internet monitoring systems such as the FBI's Carnivore, thermal and infrared imaging, night vision, etc. Where I had once been intrigued by "invisibility" and its optical solutions in science, I was now confronted with the concept of "stealth," smart weapons technologies and the uses of mediated imagery as further developed by the military. As before, I followed the images; they lead back to the cultures and ideologies that produced them, as well as to the discourses that theorize and obsess over them.

The first project to come out of this research was a series of paintings called "Buster-Jangle," named after a joint nuclear weapons test operation held in the Nevada desert in 1951. The paintings reworked photographs and film stills of mushroom clouds as near-abstract landscapes. "Joint" operation refers to the fact that both the Department of Energy (DOE) and the Department of Defense (DOD) oversaw the series of tests and associated experiments. This was the first time these two authoritative bodies had merged to collaborate on the most ambitious nuclear test operation to date, in which thousands of troops would volunteer as guinea pigs for the measurement and observation of radiation effects on living organisms – representing an early explicit bureaucratic merging of science (DOE) and the military (DOD).

The next project "Rocket Science" also used military images as sources. It was a broader, more conceptually challenging project than Buster-Jangle, and it focused on speed and disaster, air accidents, night-vision imagery, bomb camera telemetry, etc. The primary impetus for these paintings was archival footage of CNN's televised transmissions of the 1991 Gulf War, as well as that of various other high-profile disasters: TWA Flight 800, the Challenger Disaster – instances of military triumphalism and technology gone wrong. The resulting works depict the mechanisms of war in depopulated landscapes, luminous, fiery and often explosive.

The success of these paintings relied to some degree on the enigmatic nature of their source imagery, which I unearthed from the Web. My interest in them had to do with their implied “forbidden” or hidden quality, and the fact that they documented real events; I relished the contradictions inherent within the notion of hidden representations. It was important that my paintings of foiled rocket launches, exploding airplanes and bomb camera targets were resonant with and directly connected to the real world, and yet, with a few exceptions, largely unfamiliar.

### **UBIQUITY AND WAR**

Relatively insignificant things, such as my working methods, shifted radically after September 11, 2001, along with everything else. Paintings of exploding airplanes were no longer particularly desirable, and oddly my sources were no longer “mine.” Or rather, they suddenly existed on a new footing: they had become ubiquitous. Of course, these sources were never particularly “mine” but I had grown accustomed to the feeling that I had found them when not many other people had reason to go looking for them. Now it seemed that every military image or clip I had ever archived was being aired on national television night and day, for months, broadcast on every channel, appearing in magazines and newspapers alongside the photo essays of the events of 9/11. It was not enough to keep showing us the planes hitting the towers, the towers falling, the people running covered in ash; US television and news media embarked upon a campaign that entailed digging up as much recent declassified military footage as possible. In effect, my sources were being outed by the media machine as it scrambled to exploit the next twist in the narrative. Using images from the recent past, it constructed new media narratives for our impending future.

I was unsure how to proceed at first. What had begun as a pursuit of the obscure – phenomena not visible to the naked eye, events guarded for reasons of government security and paranoia – had suddenly shifted to the realm of ubiquitous imagery, where things are rendered “not visible” in an altogether different way. Once my sources had been sucked into the maw of mass media, there was only one thing left for me to do: exploit the mass media itself for images.

### **PAINTING MASS MEDIA**

I am sometimes asked: Why *paint*? Why paint *now*? Why use this oldfangled medium? But there is a long tradition of painting that comments on society and culture, politics and war. In terms of critiquing mass media, painting has an edge, interestingly. Media images are meant to grab attention quickly and momentarily; they challenge our attentiveness as well as our attention span, slipping by faster than we even realize. We stop paying attention; we are not supposed to linger



**Figure 4**  
*Cluster* (2000) 60 × 78 inches

as more images are waiting in the pipeline. The forces at play are speed, quantity and saturation; media images keep coming. They get glossed over, ignored, lost in the shuffle, but they keep coming.

Paintings, on the other hand, demand a certain degree of effort, a concentrated reflection over time; in return they can elicit a deeper emotional response. This is partly the way we are taught to look at works of art; it also has to do with the slower, at times impenetrable aspects of the medium and how a given individual may handle paint. The body, the hand, the psyche of the painter manipulates this amorphous mudlike substance to create a painting; the human animal, slow and complex, is the definitive mediating factor in the process.

While painting has been used in various ways to critique contemporary culture from Andy Warhol onward, there are two painters who hold peculiar relevance for me. Both Leon Golub and Gerhard Richter have inhabited the territory where politics, art and mass media intersect. Both have negotiated the relationship of painting to media images and their documentary attributes, though in vastly different ways from one another, and to different ends.

In the early part of his career, while many of his peers were exploring minimalism, Leon Golub was channeling the rage and disgust generated by the undeclared war in Vietnam. He worked largely from newspaper and magazine clippings. A painter steeped in classicism and preoccupied with the monumental and the metaphysical, Golub, who passed away in August 2004, continued to struggle right through to the end with the problem of the general versus the specific, and historic resonance versus contemporary relevance as expressed through the figure. To our general discomfort, his work confronts the phenomenon of voyeurism-made-easy: scenes of torture and war instantaneously transmitted into our living rooms. Golub targets our sense of grim titillation as we become passive accessories to violence and terror; his paintings are as raw as the nerves they expose.

Richter, on the other hand, plays ambiguously with elements of the human in an age of mass production, coolly referencing while rifling through the grab-bag history of painting and available media narratives. Perhaps most ominous in this regard are his reworkings of photographs of the Baader Meinhof gang, the German radical-left terrorist group whose members died mysteriously while in police custody. His "October 18, 1977" series plays an obtuse game with the fact that the pictures tell us nothing about the circumstances surrounding these deaths, that maybe history itself is largely unknowable despite its surplus of photographic records. The longer we gaze at these paintings, the deeper the darkness spreads; the paintings, like the photographs, tell us nothing.

So where do I pick up the thread? There must be something that comes after Golub's interrogation chamber and Richter's sphinx-like opacity. What is the next thing? To commandeer the media narrative and pierce it? Perhaps I *am* a pirate, a media thief who grabs and re-purposes images, discarding narratives willy-nilly as I plot my



**Figure 5**  
*Jog* (2003) 26 × 46 inches

escape route, plundered treasure in hand, refusing to accept the imposed, overarching banality. I know I must connect with the larger world before internalizing it, and I must follow the images that make those connections.

### **LOST HIGHWAY**

I am plotting my escape route. Included in my plan are refugees, insurgents, hungry people, visionaries, villains and zealots. They are above all mobile. Whether they are headed any place in particular is hard to say. Car bombs explode, people rise up, planes fly recon and villages are razed. People are running. Documentation of these events is transmitted all over the world instantaneously, even as they are taking place and before the travelers reach their destinations – sometimes we find out before they do if they have destinations. News of their fate is in our living rooms; we parse bones over breakfast. It seems like a movie but it is not a movie.

It is fodder for the media narrative. If I escape that banality it will be by a route that runs alongside it. This route, which I'll call "Lost Highway," will serve as the *mise-en-scène* for crossings, insurrections, escapes and blockades. It will be a metaphor in the old-fashioned sense, referring to the information highway as well as to the physical roads that encircle the globe; a symbol for growth, trade, cross-fertilization, communication and travel, as well as their obstruction and denial – opportunities lost. If I play my cards right, it will be my road out.