

Art as Terror?

Professor busted by Feds

John Brinker
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Critical Art Ensemble (CAE) is a collective of artists and academics who illustrate problems with science and technology through writing, performance, and installations. Their objective is to demystify high-tech tools so that the public can make informed decisions about the new technologies that are already impacting our lives in many ways.

For his work with the Critical Art Ensemble, SUNY Buffalo art professor Steven Kurtz was charged by a grand jury with mail fraud, wire fraud and improperly obtaining biological materials. Dr. Robert Ferrell, distinguished Professor of Genetics at the University of Pittsburgh, was also charged in the case.

Originally, the defendants were charged with bioterrorism on the FBI's Joint Terrorism Task Force's search warrants and subpoenas through the expanded police powers provided by the USA-PATRIOT Act. Others subpoenaed to appear in the case included four professors and Jim Fleming of Autonomedia Press, which publishes CAE books.

This bizarre case began on May 11 when Hope Kurtz died in her sleep of cardiac arrest. Her husband Steve called 911, but emergency personnel became suspicious of Kurtz's art supplies and called the FBI. Within hours, FBI agents in yellow hazmat suits had illegally detained Kurtz as a suspected bioterrorist, cordoned off the entire block around his house, and impounded his dead wife's body and his cat.

For about a decade, the Critical Art Ensemble has used scientific processes as performance art in order to investigate the links between science and politics. Part of the CAE's objective is to demystify science and make the issues surrounding the political control of science more accessible to the broader public; "Free Range Grains," the CAE's latest project, includes a mobile DNA extraction laboratory for testing food products for the presence of genetically-modified organisms which are not listed on the products' labels to underscore the fact that US consumers are part of an immense unregulated experiment being conducted by corporations. At the time of the FBI raid, Kurtz was researching biological warfare and bioterrorism to assess the actual danger these weapons pose and to question US government policy on such threats, including topics such as the draining of public monies into bio-weapons research and defense and the subsequent militarization of the US public health system.

You might expect CAE to take a stand against biotech, but they don't join either side of the debate. Instead, they adopt the position that it is the public's enforced ignorance of science which allows the current debate about biotech to be so shallow.

On the pro-biotech side, we hear arguments based on what CAE calls a "rhetoric of Edenic promise," which claims that biotech will inaugurate a new era characterized by abundant food and perfect health for all. On the anti-biotech side, CAE says that arguments tend to be based on irrational fears that have their origins in ancient Judeo-Christian taboos. CAE suggests that the public cannot be expected to advocate for itself effectively when both sides rely on superstitions to advance their agendas, which in the case of the pro-biotech faction, may include the return of a fascist eugenics.

Two of the organisms found in Kurtz's house—*Bacillus globigii* and *Serratia marcescens*—are common and generally harmless to humans, so much so that they can be obtained via mail order from scientific supply companies that sell to middle schools and high schools. None of the bacteria appear on the bio-hazard master lists used by law enforcement agencies throughout the US; nonetheless, the FBI confiscated the samples, computers, periodicals, books, writings, papers, correspondence, videotapes and art projects from the men as part of their "anti-terrorist" investigation and refuses to return them.

This case is of interest to anyone concerned with issues of free speech, artistic expression, dissent, censorship, and the growing spiral of uncurbed police powers. It should also serve as a warning about the increase in political surveillance in the last four years—that the EMTs sent to Kurtz's home snitched to the cops should be a reminder to all about the Justice Department's plan to recruit delivery drivers, postal workers, and home-repair workers as police informers.

Kurtz's arrest is also indicative of how much science has been politically manipulated by the US government to align with the views of material reality espoused by ecocidal industrial capitalists and obscurantist religious fundamentalists.

They believe in creationism but dismiss global warming as "junk science"; they ignore the untested effects of genetic tampering with the food supply and institute women's health initiatives consisting of wacky theological gynecology that prescribes prayer for menstrual cramps and "proof" that abortions cause breast cancer. The same people who brought you increased amounts of arsenic in drinking water, more mercury in the air, faith-based AIDS treatment, ridiculously lax mad cow disease testing in the beef industry, and new definitions about what qualifies as a nuclear power plant accident are deciding that an activist artist is a bioterrorist.

For more information and to offer help: <http://www.caedefensefund.org>

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