

The iPhone 4^{CF} (Conflict Free) The Yes Men Address the Conflict in the Democratic Republic of the Congo

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“[...] the look and feel of Apple Computer products is an indication of Apple Computer’s commitment to making the world a better place. Because making the world a better place is cool, right? And Apple Computer must be way more committed to a better world, because iPods are so much cooler looking than other MP3 players, which is why they’re so much more expensive and incompatible with other companies’ software, because – well, actually, it’s a little unclear why, in a better world, the very coolest products have to bring the very most obscene profits to a tiny number of residents of the better world. [...] I think the iPod is the true face of Republican politics [...]” (Franzen 201)

Summary

Emulating The Yes Men is easier said than done. It all began when Andy Bichlbaum, one of the leading members of The Yes Men – a group of culture jamming activists – instructed a class at Parsons New School for Design in New York City called The Yes Lab. The Yes Lab was formed to conduct experiments – social or breaching experiments¹. The students decided to address the war in the Democratic Republic of the Congo (DRC), a conflict fueled by the demand for Congolese minerals resources that are essential to aerospace, military, and technology industries. Minerals extracted in the Democratic Republic of the Congo can be found in most of our electronic devices, including cell-phones, personal computers, pacemakers, and airbags. The group of students chose their favorite electronic company as the target of their critique – Apple. Believing that Apple should put pressure on its minerals suppliers, the group created a campaign purporting that Apple had actually done so. Soon they found that the conflict

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¹ The breaching experiment is a method of social research. It is a changing intervention that violates commonly accepted social rules or norms. Breaching experiments are associated with ethnomethodology (cf. Garfinkel).

minerals approach was only one part of a much larger and much more political problem than they had previously imagined. The students developed a strategy to disseminate knowledge of what was going on in the Democratic Republic of the Congo as well as publicly make an example of a company whose advertising campaigns stress social corporate responsibility and global harmony but could and should do more in these areas of a practical nature.² Beside the reaction from Apple itself, the students received attention from the public, the police, as well as the press. The fact that critics viewed the action as irritating could be considered proof that the actual purpose of the breaching experiment/performance had been achieved.

To Step into The Yes Men's Shoes

Early in the fall semester of 2010, students of Parsons New School for Design came together for The Yes Lab in which they were instructed by Andy Bichlbaum whose The Yes Men uses a brand of satirical performance art to stir up debate about political issues and corporate culture. The Yes Men impersonate global players. This involves creating elaborate websites that appear as if they were created by firms such as Exxon or Halliburton as well as posing as fictitious representatives of those companies at public events. For example, one of The Yes Men was interviewed on the BBC posing as a DOW Chemical spokesman who promised that the company would pay for the cleanup of a disaster area in Bhopal.³ Even though the hoax was discredited, Dow Chemical's stock had

² Most corporate social responsibility campaigns offer easy solutions for severe conflicts. As an example you can take the print version of the WE AGREE campaign from Chevron. All the advertisements feature "real people" saying what they think about oil companies while Chevron employees earnestly state "WE AGREE". For example, one ad features two laughing women in traditional African attire above the slogan "OIL COMPANIES SHOULD SUPPORT THE COMMUNITIES THEY'RE A PART OF". Under the slogan and over respected names from executives from various NGOs representing respectively The Global Fund to Fight AIDS, Tuberculosis and Malaria as well as Chevron executives is printed "WE AGREE" adding "We're making a difference where it matters" (Chevron 2011). Even if it is quite honorable and helpful that an oil company spends money to support projects in the community, it is only one side of the coin. The other side of the coin is that Chevron is part of the problem. As an oil company its first interest is to make profit. Unfair labor conditions, as well as health, educational and environmental issues are part of a capitalist system that is based on the idea to make profit at the expense of others. Therefore corporate social responsibility campaigns are more white washing or enforced idealism than the presentation of contradictory social problems. Before the WE AGREE campaign was launched, The Yes Men launched a similar looking spoof campaign. They teamed up with the Rainforest Action Network and Amazon Watch to create the website chevron-weagree.com. The website features admissions of guilt from Chevron executives and makes statements like "Oil companies should clean up their messes," and "Oil companies should fix the problems they create" (Chevron We Agree 2011).

³ Frequently The Yes Men are asked if they have considered the emotions and reactions of Bhopal's victims when executing the hoax. Many people in Bhopal might have believed

declined in value by \$2 billion by that time. The same Yes Man also posed as a representative of the WTO and claimed that the organization would be dismantled. Furthermore The Yes Men participate in conferences concerning climate change, unfair labor conditions, and genetically modified food production. (cf. The Yes Men).

The Yes Men's actions are a good example of the productive intersection between the more linguistic concept of performativity and the more dramatic concept of performance. In Andrew Parker's and Eve Kosofsky Sedgwick's introduction to "Performativity and Performance" – inspired by the work of the British philosopher John Langshaw Austin – they say that the "carnavalesque echolalia" can be seen as "extraordinarily productive cross-purposes":

One of the most fecund, as well as the most underarticulated, of such crossings has been the oblique intersection between performativity and the loose cluster of theatrical practices, relations, and traditions known as performance. (Parker & Sedgwick 1)

The Yes Men do not only act as if they were representatives of organizations, but they also conduct the public duties of entrepreneurial representatives. While pretending, the lines are blurred and they are partially representatives of the organization they criticize. In the repetition and in the ambivalence are combined the potential of critique and the danger of affirmation.

For the students joining The Yes Lab the question was which political issue would be addressed and transformed into a political action. The students⁴ took as their example the actions of The Yes Men. There was hesitation on all their parts to simply leap into just any action. Ideas were thrown around in the group and eventually one emerged above the rest when one of the students came up with the idea to address the war in the Democratic Republic of the Congo (henceforth DRC). She described the pattern of rape, torture, forced displacement, and the illegal use of child soldiers. Advocacy groups like Raise Hope for Congo call the war in the DRC the deadliest conflict since World War II (cf. Raise Hope for Congo). The United Nations' special representative on sexual violence in conflict was quoted saying that the DRC is "the rape capital of the world" (cf. BBC). The students were as one that those issues had to be addressed. They could not speak for other people, but they were interested in formulating a critique that made their

the hoax (cf. The Yes Men). Even though one can argue that in comparison with what Dow Chemical was responsible for, the distress caused by the hoax would be minimal; however, there is always an ethical responsibility that has to be shouldered by the performers of such actions. Carmen L. McClish expounds the problems of parody "[...] as creating alienation, not solidarity, with both 'traditional' activists and the mainstream public". Imitating an original to show how ridiculous it is can be funny for the participants but can also only be so for insiders. "In essence, there is a difference between carnivalesque protest that is inspiring and results in solidarity versus more parody-based approaches that have been accused of being negative, critical of potential allies, and pretentious and mean-spirited" (McClish 3).

⁴ If I speak about the students, I pocket them because I speak for them as a participatory observant. I was part of the group and I observed the process.

position visible. They wanted to identify the closest connection they had with the conflict.

The students looked for an action where executing and performing respective performativity and performance were not easy to differentiate – performativity in this case understood as execution and performance as representation. Some observers believe that it is impossible for a performance not to tie into existing artistic and social practices and knowledge while in contrast the linguistic term performativity by necessity refers to a greater possibility for ambivalence. Jacques Derrida sees less of a division between the two, believing individual intentions are often subordinated to cultural conventions where the individual act (the performance) becomes performativity – the endless process of repetition of cultural conventions (cf. Derrida 9).⁵

After having selected the war in the DRC as their focus the students, while realizing, there is seldom a root cause for a conflict, were determined to find a meaningful angle for their action. That was not too hard to come by: All over the media and publicized by advocacy groups was the topic of so-called “conflict minerals”. The “conflict mineral” approach presumes that proxy rebel militias, by means of looting and displacing indigenous populations to get access to more lucrative mining lands, are engaged in the illegal exploitation of minerals, while multinational corporations take advantage of the situation to obtain the desired minerals. The minerals extracted in the DRC are so vital because, as has been mentioned above, they are used in all of our electronic devices. Everyone in the Western hemisphere uses conflict minerals on a daily basis (cf. Kristof).

Therefore the further question was how they could address the conflict minerals as students of Design. And they *were* students of Design, who lived in New York City far away from the conflict and still at the beginning of coming to an understanding of the conflict. Half of the students were born in European countries and had never been to the DRC or Africa in general. The majority of the students were white.⁶ One could therefore ask how profession, origin, and/or

⁵ In Austin’s lecture “How to Do Things with Words” he expresses that “performative utterances” such as a ship launching ceremony, a wedding, a congratulation etc. do not just say something, but rather perform a certain kind of action. For them the coincidence of execution and performance is constitutive. They are institutional speech acts rather than dialogical speech between single persons. “Performative utterances” are a specific group of verbs where an act is conducted when they are expressed. They are different from performativity as a fundamental aspect of utterance (cf. Austin 7). Austin excludes the performance from his considerations. He understands the quotable as an utterance on stage. He distinguishes it from the utterance in the daily routine. With Jacques Derrida’s reading of Austin the dimension of performance starts to matter. In comparison to Austin Derrida sees in the quote the structural similarity of both utterances. The everyday utterance can only be successful if it executes a citing repetition of a conventional procedure (cf. Derrida 9).

⁶ Calling them Design students, European, and/or white you were facing the dilemma of identity discussions: How could you establish concepts without being overly rigid in one’s classifications. On the one hand you could argue that minorities had to be protected or how in that case majorities with their privileges had to be named and had to be made visible. However, on the other hand the visibility and emphasis on certain groups directed

skin color were relevant to planning an action – and is it even reasonable to mention these differences? Was the highlighting of cultural differences between the students and people in the DRC helpful for addressing the conflict there? In our case it was important inasmuch because the profession, origin, and/or skin color could be related to certain historical, educational, and material privileges (cf. exemplarily for the contradiction between equality and difference as well as the question “redistribution or recognition,” Fraser and Honneth; Brown; Butler; Coombe; Cornell; Fraser; Young).⁷ And for example a quick look around the classroom revealed most of the students had an Apple product in front of them.

They asked themselves if there was a connection between profession, Western culture and/or whiteness and Apple products. One of the students cited the popular anthropologist Christian Lander, who draws a connection between whiteness and Apple products in his book and blog *Stuff White People Like*. About Apple products he writes:

Plain and simple, white people don't just like Apple, they love and need Apple to operate. On the surface, you would ask yourself, how is that white people love a multi-billion dollar company with manufacturing plants in China, mass production, and that contributes to global pollution through the manufacture of consumer electronic devices? Simple answer: Apple products tell the world you are creative and unique. They are an exclusive product line only used by every white college student, designer, writer, English teacher, and hipster on the planet.⁸

Paraphrasing Lander, they asked themselves, why do aware people – including themselves – admire a polluting, outsourcing, multi-national über-corporation? They were in a performative dilemma – in Shoshana Felman's reading of Austin, the students' approach revealed a latent Don Juanism⁹. Austin promises a tantalizing theory of the performative, but he never keeps his promise. In fact Felman argues that even those expectations are unrealizable (cf. Felman 1983).

to stigmatization and establishment of these groups. Gayatri Chakravorty Spivak's “strategic essentialism” proposes “[...] a strategic use of positivist essentialism in a scrupulously visible political interest” (Landry and MacLean 214). In an interview from 2003, Spivak distanced herself from the idea of strategic essentialism: “[...] I have disassociated myself from it. Why? Because it has been taken as an excuse for just essentialism, which is an excuse for identitarianism” (Milevska 30).

⁷ The main discussion in all of these texts is how the deconstruction of categories is related to socio-economic inequalities.

⁸ In his book and blog *Stuff White People Like*, Christian Lander writes in a satirical way about the interests and consumer buying habits of the hipster culture in particular. Lander's “white people” can be seen as a stereotype of left-wing, urban, wealthy, environmentally as well as socially conscious people, who normally hold an arts, liberal arts, or women's studies degree. Lander describes his “white people” with affection and together with his biographical notes you understand that he writes about himself (cf. Lander).

⁹ For Don Juan there is a gap between performative and constative speech act. He operates by promising marriage without keeping his promises. Don Juan uses the performative gesture to get his way. His victims want to understand his speech in a constative way, but he uses it in a performative (cf. Felman).

The students' situation was similar. They claimed for themselves that they were critical and aware of their consumer buying habits but on a performative level they subverted their own beliefs.

While implicitly accepting their own complicity with Apple's pollution, outsourcing, and exploitation, they still wanted to address the fact that Apple's electronic devices are made out of "conflict minerals" and fuel a deadly conflict. They felt ambivalent about representing the Congolese people but wanted to use their performance in a productive way. With the perspective of performativity they did not only try to be as precise as they could be but also they did not want to ignore certain ambivalences and indifferences. They had access to a topic that allowed ambivalences in a positive (productive) way.¹⁰

Even if they refused to presume to speak for the Congolese people, they needed to structure their interests in some heuristically useful way. To quote Honi Fern Haber, who writes that in planning political action you had to form a community of similar interests, they revitalized the "importance of solidarity" (cf. Haber 1994). However, they knew that they were still part of community distinct from those on whose behalf they were acting. As they could not speak for the people in the DRC, they were looking for an action that could focus attention on the issue that they had with "conflict minerals". They tried to connect their local situation with the global conflict. They did not just want to criticize multinational corporations, they wanted to discover which connection they had with the conflict. Therefore they would not only criticize the company and their use of conflict minerals but also integrate the consumer – including themselves – in their critique. Even if they acted from a privileged and not a subaltern position, one could say that they tried to "disidentify" themselves with their privileges. José Esteban Muñoz actually established the tactic of "disidentification" for subalterns to expound the problems of an hegemonic public that permanently excludes subjects who are not conform with the norm. He suggests playing with constructions of identity (cf. Muñoz). The students started to disidentify themselves with their several identities (European, white, creative/political students etc.).

"Conflict (Minerals)" from the Congo

It was patently obvious to choose Apple and its usage of "conflict minerals" as their target, Apple being the most ubiquitous electronics company. There was something missing though, some sort of connecting factor to help the students further understand why they were doing this. They needed a deeper understanding of all aspects of the conflict. As they soon found out the "conflict mineral" approach was only one part of a much larger and much more global issue than they could have imagined, so they began to research and brainstorm and discuss possible permutations of actions. Kambale Musavuli, a member of the group Friends of the Congo, began to consult with the class and stressed the fact

¹⁰ Marvin Carlson claims that for the term performance and compares it with terms like art or democracy (cf. Carlson 1).

that the conflict could only be solved by non-military political means. The situation in the DRC called for diplomacy, due-diligence, and sustainability.

He provided insight on the history of the Congo. At the 1884/85 Berlin Conference, the Congo was given to King Leopold II of Belgium. After naming it the Congo Free State he ruled it as his own personal property for 23 years. Under his brutal regime the Congo Free State became one of the most infamous international scandals of the early 20th century. The exploding demand for rubber led to the natives suffering horrific abuses. These included the effective enslavement of the native population, savage beatings, widespread killing, and frequent mutilation when the quotas were not met. In 1908 the Belgian parliament took the Congo Free State from King Leopold II, re-named it the Belgian Congo, and ruled it until 1960. The Congo – then Republic of the Congo – obtained independence from Belgium on June 30, 1960, under the elected leadership of Prime Minister Patrice Emery Lumumba. On January 17, 1961, Lumumba was assassinated by Western powers and Congolese secessionists. After a military coup Mobutu Se Seko was installed as dictator for over three decades. He was a Western ally against the Soviet Union and gave the West access to the Congo's minerals. During that time the Congo was re-named Zaire. In 1997, Rwanda and Uganda invaded the Congo twice which resulted in the removal of Mobutu in 1997. Laurent Desire Kabila took his place, but was assassinated in 2001 and was succeeded by his son Joseph Kabila who is still in power after elections in 2006. The next elections are scheduled for late 2011.

The students became aware that many Congolese were dependent on the mining of minerals. If companies stopped exporting minerals from the DRC, a lot of people would lose their jobs. A boycott would do no more than put thousands of miners out of work. During their research they learned that the majority of the country's exports did not come from areas at war. And even if there was a direct connection between civil war and the mining practices, those exports were difficult to trace. Even the best laboratory tests could not easily prove where the minerals had come from; the DRC's borders are impossible to police, and origin certificates are easily forged.

The Congo's bigger problem were not "conflict minerals", but the fact that the people did not get their share of the country's vast wealth – even though one could argue that the different issues were related to each other. The DRC does not have a functional and honest government nor did they have an infrastructure and security (cf. Hochschild). Beside the inner conflicts further diplomatic steps had to be taken. The neighboring countries, e.g. Uganda and Rwanda that were involved in refugee issues, had to be brought to the table. Musavuli stressed the fact, as mentioned above, that the DRC needed diplomacy, due-diligence, and sustainability.

As regards Apple, Musavuli explained that after the negative press all the electronic companies were increasingly leery of using "conflict minerals". Therefore due-diligence was going to happen. Apple was trying to clean-up its supply chain through certification.¹¹ However that was not enough. Without

¹¹ A 2006 report by the UK's *The Mail on Sunday* accused the Chinese supplier Foxconn of forcing workers to pull long shifts to meet unrealistic quotas. This report prompted an

diplomatic and sustainable solutions the conflict could not be solved. Because of all that information the students developed a strategy to both promote the knowledge of what was going on in the DRC as well as publicly make an example of a company that was glibly exploiting the conflict for their corporate social responsibility campaigns. Their focus of critique was Apple's effort to represent itself and its customers as especially socially responsible. Additionally they wanted to inform consumers that political problems could not only be solved by corporations or by consumer buying habits but by political means.

The Action

The students created a fake product – the Apple iPhone 4^{CF} (Conflict Free) – that served as a vehicle for all the information that they had unearthed during their work. The Apple iPhone 4^{CF} was promoted as being made out of “[...] resources and minerals that went through a rigorous auditing process” to be certified as “conflict free”. It would be the first to do so on the market. The students then proceeded to build an entire marketing campaign for the iPhone 4^{CF}, including a website, flyer, ersatz Apple employees, business cards, customers, a pre-release event, a media advisory, hotline, a press conference, and a press release. On the iPhone 4^{CF} website and in the press release – everything in Apple's corporate design – the students not only gave facts about laws that are being entirely ignored by the government but called for Situationist-inspired activism such as citizen's arrest¹² for pertinent abettors wrapped up in the conflict mineral trade and in not enforcing existing laws. For example, they called for the arrest of President Barack Obama, who does not enforce the 2005 law that he himself introduced while in the Senate: “Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act.” They also demanded the arrest of the hedge fund manager John Paulson, whose company finances some of the worst extraction practices. Using the aesthetics and stylistics of Apple, their campaign was made to mirror the company and their consumers that they were subverting. They provide to the consumer, who more than likely wants to believe that consumer buying habits have a strong influence on the environment, a solution for the conflict: buy a new gadget.

audit from Apple, which found “no instances of forced overtime” but noted that “[...] employees worked longer hours than permitted by our Code of Conduct.” Such audits have been performed by Apple every year since (cf. Johnson 100). The Yes Lab made it happen that a new iPhone game critical of Apple's human rights record was accepted by the iTunes store and was released. The application, called Phone Story, teaches players about abuses in the life-cycle of the iPhone by putting them in the manufacturers' shoes. To win, players must enslave children in Congolese mines, catch suicidal workers jumping out of Chinese assembly plant windows, and conscript the poorest of the world's poor to dismantle toxic e-waste resulting from obsolete phones.

¹² In the press release they explained that any citizen can arrest someone committing a crime, if the crime is sufficiently grave. The Yes Lab considered millions of deaths in the Congo as a grave crime.



The spoof Apple website for the iPhone 4CF

At the end of the semester they put all their planning and groundwork to the test. Assembling at 5th Avenue and Central Park, and having chosen the Apple store on 5th Avenue, they initiated the physical element of their action, captured in part on video¹³. On the morning of the action a number of students started distributing flyers in Midtown.

¹³ As concerns the video documentation, one should bear in mind the performance theorist Peggy Phelan's belief that a performance's only life is the present. As she puts it: "Performance cannot be saved, recorded, documented, or otherwise participate in the circulation of representations of representations: once it does so, it becomes something other than performance. [...] Performance's being, like the ontology of subjectivity proposed here, becomes itself through disappearance" (Phelan 146). Phelan understands performance as a specific form of theatre, a specific event in space and time that only refers to itself. Therewith the performance is not ruled by techniques of reproduction, saving, and repetition. In her argumentation the contrary to that volatility represents representation and semantics. On the one hand this confrontation is based on the stretto of performance and performativity and on the other hand on the connection between performativity and self-referentiality. Both together place performance and performativity beyond representation and insinuates that every performance has by definition a subversive character. Phelan claims that volatility is beyond representation and to attempt otherwise provides one with a handy critique of capitalism (cf. Phelan 24f.).



The front page of the spoof flyer for the iPhone 4^{CF}

As can be seen above, it was not a simple photocopy manifesto; their flyers were conceived of as both advertisements and vouchers to act as the catalyst for the action. Designed over the course of the semester in tandem with the website as a multi-tiered approach, the flyers were filled with information and directions about how to receive an iPhone 4^{CF} for free at the 5th Avenue Apple store. They were essentially offering up a guiltless solution to the problem they had identified. Consumers could take the voucher to the Apple store at 5th Avenue where they could upgrade their current iPhone, that was not conflict free, for one that was. They relied on the fact that by imitating in appearance both Apple's printed matter (by using its logo and font) and employees' attire, they could convince people that the product actually did exist. And so they dressed up in printed Apple employee shirts that they had made, spread out around Midtown with their mission, and got to business. Although focused on distributing vouchers to iPhone users, they also gave out flyers to other interested consumers.

After a couple of hours spent papering the area, they reconvened and discussed the next step on their timetable. The flyers themselves had been handed out with the knowledge that at 6 o'clock, the iPhone 4^{CF} would be revealed with much fanfare and revelry at the Apple store. Just prior to the big reveal, they reached out to Yes Men affiliates and followers across the city to help them out in the final part of their action. They met up with a group of about 30 individuals who had responded to the call and brought cameras with them to catch the action.

CF

"After replying to an email about Apple's relationship with "conflict minerals", I really began to think "How can I really ensure that our products are coming from a conflict free source?" From that moment I decided to completely rework and rethink the way we source the materials to create our products. People don't want others to suffer for their luxury. This is an answer to a generation committed to human rights and a better future, an informed generation, and it is with much pride that I present to the public: the iPhone^{CF}."

Steve Jobs

Today only, all existing Apple iPhone users can get a FREE UPGRADE to the new iPhone 4^{CF}

Apple is celebrating the release the new iPhone 4^{CF} by offering current iPhone users a FREE UPGRADE to the new iPhone 4^{CF}. In order to receive your free upgrade, come to our pre-release event today, 11/16/10, at 6pm at Apple's Fifth Avenue Store location.

What is the new iPhone^{CF} anyway?

Here at Apple we care and are proud to show you by introducing for the first time on the market the new *Conflict Free* iPhone 4^{CF}. The new iPhone^{CF} guarantees to all its customers the same high quality phone as the original iPhone 4 with the added bonus of taking you one step closer to *a world without conflict*. Through participating a rigorous auditing process, Apple has certified that all materials used in your new Apple product CF is made without the detrimental cost of supporting civil wars in the Congo and neighboring countries. In addition for each new iPhone 4^{CF} sold, a percentage of all profits will go directly to rebuilding infrastructure and further promoting peace and diplomacy in the Congo.

Get your FREE* upgrade to the new iPhone 4^{CF} by showing up at our pre-release event today only at 6pm at the Apple Store Fifth Avenue, at 767 Fifth Ave.

For more information about Apple's commitment to making conflict free electronics visit www.apple-CF.com

The back page of the spoof flyer for the iPhone 4^{CF}

The group trooped over to the Apple store, cameras on, and waited for things to start coming together. The police, having acknowledged the presence of more than a few people poised to do something, had set up an area for them to carry-out a "protest". The group decided that this was not really part of the plan, and they continued to mill about outside the store. They began to hand out press releases that they had created beforehand, which much like the flyers contained a seemingly canned but firm response to their action from the perspective of Apple. In the fraudulent press release Apple informed the public that the so-called "conflict-free" iPhone was entirely the imagination of a group of pranksters. In their press release they had Apple encouraging consumers to attempt political solutions such as reporting violation of the law to the FBI. They should consider citizen's arrest against the President and the White House as well as the Secretary of State. They should also consider performing a citizen's arrest against shareholders and officers of the mining companies that have been implicated in pillaging the resources of the Congo and fueling the conflict in the Congo over the past 14 years. Although potentially somewhat confusing, the goal of this ersatz press release was to mock Apple's pseudo-political stance.

Eventually, as members of the group started to go in and out of the Apple store, carrying the press releases with them and setting them down in the store, Apple itself responded for real. Those that went into the store were followed and asked to leave, and employees as well as supervisors began to make it known that whatever was going on was not making them especially pleased.



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FOR IMMEDIATE RELEASE

FRAUDULENT CONFLICT-FREE IPHONE HOAX
Nov. 16, 2010

Apple wishes to inform the public that the so-called "conflict-free" iPhone, promoted today outside the Apple Store at Fifth Avenue in New York City, and featured on the non-Apple website www.apple-CF.com, is fraudulent and fictitious, and entirely the imagination of the group of pranksters who created it.

Again, this product does not exist, and Apple has no connection to the group that promoted it, but whether or not we actually produce a conflict-free iPhone, it will by no means be any sort of solution to the situation of conflict in the Congo, nor in any way help bring an end to that conflict.

We at Apple have acknowledged in the past that the conflict in the Congo, which has claimed many millions of lives, is fuelled in part by the provision of minerals that go into consumer electronic products, and not only Apple's.

However, the mere usage of so-called "conflict-free minerals" would *not* be a complete solution. The solution is, rather, based largely in diplomacy.

In this regard, there is a law on the books - the "Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act," Public Law 109-456, introduced by then-Senator Obama in 2005 - that demands, among other things, the appointment of a special envoy to the Great Lakes region. As of now, four years later, this has still not happened, and the Congolese continue to die by the tens of thousands.

There are various possible solutions to this problem, but it is up to you, not Apple, to accomplish them. Here are some things you can do:

- Report the violation of Public Law 109-456 to the FBI. Visit tips.fbi.gov to do so, or call 1-800-CALLFBI (225-5324). Culpable parties involve not only the President and the White House, but the Secretary of State, who is in charge of enforcing that portion of this law that demands the withholding of aid to destabilizing nations.
- You might consider performing a citizen's arrest against the above parties. Any citizen can arrest someone committing a crime, if the crime is sufficiently grave. Millions of deaths in the Congo are, we believe, a grave crime.
- You might also consider performing a citizen's arrest against shareholders and officers of the mining companies that have been implicated in pillaging the resources of the Congo and fueling the conflict in the Congo over the past 14 years. Why not start with John Paulson, the majority shareholder of AngloGold Ashanti, the mining company most responsible for financially supporting rebel groups and furthering the Congo conflict? He lives here in New York City, and his office is located at 1251 Avenue Of The Americas (at 50th Street), Floor 50.

The spoof press release

Entering Apple's space was embarrassing for some participants, as they were not wanted there. In writing about the activism of Reverend Billy¹⁴, Carmen L. McClish describes embarrassment as an important emotion. She understands embarrassment as a human emotion, stating that embarrassment is not easily defined or understood. She is interested in the question how it "[...] could function as a tactic for creating solidarity" (McClish 11). Luke Purshouse elaborates that embarrassment is an interpersonal situation; it seems that it only occurs in situations where a subject sees herself or himself coming into contact with other persons. That is to say, without another person's possible evaluation to reflect upon, it is not possible to be embarrassed (cf. Purshouse 520).

¹⁴ The Reverend Billy and his Church of Stop Shopping are an example of playful dissent. They go into multinational chains like Starbucks or Victoria's Secret and with their performances they interrupt business as usual. They seek to influence consumer behavior and corporate practices. "The Reverend Billy employs tactics that are built on intentional self-embarrassment and compassion for the 'consumer'" (McClish 1).

In regard to the ambivalent nature of performativity the sociologist Erwin Goffman sees interactions ruled by a frame that organizes experiences and interactions, stating that the meaning of performative utterances is dependent on conditions that can be intentional or of an institutional nature. Goffman's article "Felicity's Condition" (1983), whose title can also be understood as "Felicity's Pregnancy," comments on the contradictory conditions of speech acts. He says that for the success of performative acts it is important that persons who perform them have the necessary authority, adding that there are certain views about what persons expect a given person to do or say in front of a particular audience, and of what aspects of herself or himself she or he normally presents in a particular context. With Goffman you can understand embarrassment as a kind of unfulfilled expectation (cf. Goffman 1956, 268). A reason for the students' embarrassment could be their lack of authority in the particular situation as well as their impression that they were acting in an unfamiliar manner.

After being asked to leave the Apple store, the students staged a (fake) impromptu sidewalk press conference as fictional corporate liaisons, and brought together all the elements of their action in one final improvisation. One student reported back that this was both the most challenging and embarrassing part of the action. Even while acknowledging that the students were in an unusual situation, the above-mentioned feeling of embarrassment might have other reasons. Purshouse draws significant counterexamples to Goffman's account of embarrassment. He defines embarrassment as being "[...] essentially about the exposure of one person to another". Sometimes the emotion appears to arise from the sheer amount of attention people get from others, rather than from acting in unexpected ways (cf. Purshouse 530). And one could certainly say that the students got a lot of attention from the police, the media, The Yes Men's peers, and Apple employees as well as Apple customers.

Conclusion

Beside some media attention and the shutting down of the fake website by Apple the students wanted to know what conclusion they could draw from the action. They saw The Yes Lab as a learning experience. It put tools and methodologies for political activism in their hands. As The Yes Men in training, they developed this action in order to highlight not only an international conflict – including the conspicuous consumption of a capitalist society and its global ramifications – but also the difficulties of acting politically. As students and consumers in particular, they had been inundated with all the iPods, iPhones, iPads and assorted technological flotsam that accompany them. The students came to the conclusion – even if or precisely *because* their action was confusing and partly affirmative – they thought it perfectly reflected the problems that come along with political performance. Despite those problems they did not want to leave things as they were. They were interested in the positions that were excluded by the prevailing political, economic, and cultural order and they did not want those positions to remain disempowered.

If one applies the perspective of performativity one can understand the action as a political performance that creates identities only to deconstruct them at

the same time. It is a hinge between a micro- and macro-perspective, because the unique performance in its locally specific setting was simultaneously integrated within a wider global discourse. The concept of performativity has its potential at this point where a single aesthetic phenomenon – like the political action – is connected to the general process of re-signification. Their political acting – in its own subjective, critical and affirmative way – reflected all the contradictions that come along with it. Nothing more but also nothing less is the outcome of the students' political performance.

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