

I. B. No 6694 - no.

Articles of a Treaty made and concluded as near *Carlton* on the 23^d day of August and on the 25th day of said month respectively and near *Fort Pitt* on the 7th day of September in the year of Our Lord one thousand eight hundred and twenty-six between Her Most Gracious Majesty the Queen of Great Britain and Ireland by Her Commissioners, the Honourable Alexander McCreis, Lieutenant Governor of the Province of Manitoba and the North West Territories, and the Honourable James McTear and the Honourable William Joseph Christie of the one part, and the *Plain and Wood Cree* and the *Other* Tribes of Indians, inhabitants of the country within the limits hereinafter defined and described by their Chiefs, chosen and named as hereinafter mentioned, of the other part: —

Whereas the Indians inhabiting the said country have, pursuant to an appointment made by the said Commissioners, been convened at meetings at *Fort Carlton, Fort Pitt, and Battle River* to deliberate upon certain matters of interest to Her Most Gracious Majesty, of the one part, and the said Indians of the other;

And Whereas the said Indians have been notified and informed by Her Majesty's said Commissioners, that it is the desire of Her Majesty to open up for settlement, immigration and such other purposes as to Her Majesty may seem meet, a tract of country bounded and described as hereinafter mentioned, and to obtain the consent thereto of Her Indian subjects inhabiting the said tract, and to make a treaty and arrange with them, so that there may be peace and good will between them and Her Majesty, and that they may know and be assured of what allowance they are to count upon and receive from Her Majesty's bounty and benevolence;

And Whereas the Indians of the said tract, duly convened in Council, as aforesaid, and being requested by Her Majesty's said Commissioners to name certain Chiefs and headmen, who should be authorized on their behalf to conduct such negotiations and sign any treaty to be founded thereon, and to become responsible to Her Majesty for their faithful performance by their respective Bands of such obligations as shall be assumed by them, the said Indians have thereupon named ~~the following persons~~ for that purpose, that is to say: — ~~representing the Indians who make the treaty at Carlton,~~ ~~and representing the Indians who make the treaty at Fort Pitt, the several Chiefs and councillors who have subscribed hereto.~~



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Incidental Graphics:

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1. Incidental graphics tend not to be designed. They materialize through existing formal conventions to house information that needs to be stored or communicated. They inhabit these conventions so completely as to become, with their world-making originality, undetectable. When removed from their contexts of immediate use (in which they function perfectly and without notice), incidental graphics appear merely as documents.¹

2. (This can be very mundane, or very magical, or both. When I was five or six and first learning how to write, I added “pop-tarts” to a grocery list stuck to our fridge while neither parent was watching. To my astonishment, and even though my past requests for Pop-Tarts had always been rejected, they arrived amid the groceries my father brought home. He thought my mother had written them. This mischief was a source of much amusement for us, and was perhaps a formative experience.)

3. Incidental graphics capitalize on the trust built up in form that follows function, in the expected relation between form and content that accrues in a genre over time. If graphic design handles form in relation to given content, incidental graphics handle content in relation to a given form.

To Design in and Through Documents

by

Tucker McLachlan

4. Graphics can manifest four possible combinations of form and content with respect to expectation:

- A. Expected form and expected content (unremarkable everyday graphics);
- B. Unexpected form and expected content (the celebrated graphics of the canonized genius designer);
- C. Unexpected form and unexpected content (unassimilable, alien graphics; the graphics of unfamiliar cultures); and
- D. Expected form and unexpected content (incidental graphics).

5. Incidental graphics will succeed, unnoticed as assertions of an as-yet-unrealized state of affairs, so long as their content is not so unusual as to attract attention.² On a practical level, this matters only when someone is trying to deploy incidental graphics deliberately, as in forgery, legislation or enactments of other kinds.

6. To consciously attempt the creation of an incidental graphic risks exposing not only one's intentions, but also one's duplicity. The Japanese ambassador Chiune Sugihara defied his superiors to produce some 6,000 transit visas for Jewish refugees fleeing German-occupied Poland in 1940, and lost his job for doing so.³ Yet his documents worked. His handwriting, signature and stamp could not be regulated by the diplomatic protocol that intended to govern them; their graphic materiality afforded his civil disobedience. His visas can as easily be read as valid or invalid, forged or not forged, depending on one's point of view.

7. Nineteenth-century British treaty artifacts signed by Indigenous leaders provide the legal foundation for much of Canadian territorial sovereignty even though the land surrenders consistently recorded within them are known fabrications.⁴ The document, and not the treaty itself, produces the truth required for Canadian claims to jurisdiction over land.⁵ This truth production occurs through a series of graphic gestures, yet the resulting graphics are so banal that they are scarcely understood as graphics at all. The same holds true for royal charters, preemptions, deeds and other documents of colonial land appropriation; design histories of Canadian land ownership would reveal persuasive graphics amidst the roots of settler law.

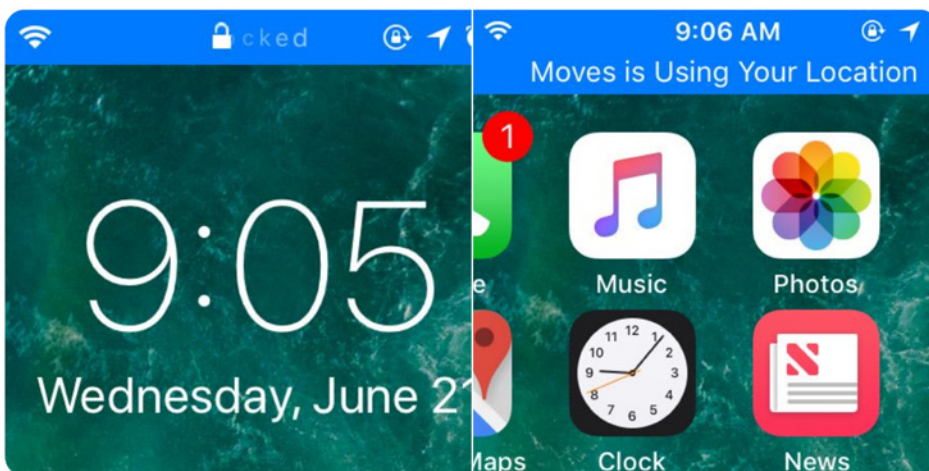
Blue bar design proposal, Apple, 2017
IMAGE © RYAN JONES / TWITTER



Ryan Jones
@rjonesy

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ANY time a background app uses your location in iOS 11 the blue bar is on. This is going to crush entire businesses.



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128 1.3K 2.8K

8. Affordances—the characteristics of an object that determine how it can be used—are the secret of incidental graphics. Affordances set the terms of an object’s use not only by its nominal end user (the treaty signatory, the refugee, the grocery shopper), but also by the entity that supplies it. An incidental graphic can be an underline, an omission, a folder structure, a calendar invite, an outlined shape, a colour—or any number of other things in the right combination of circumstances.

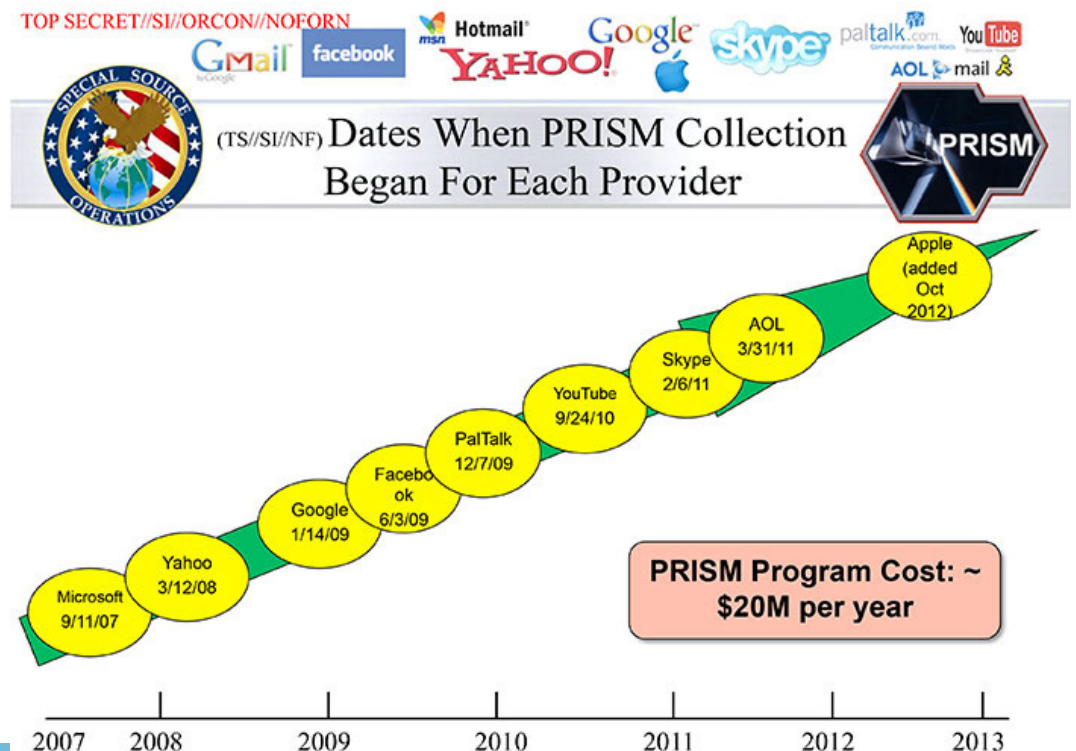
9. Most digital interfaces are incidental graphics by virtue of the software that performs behind them. Edward Snowden’s 2013 disclosures might be used to mark the transition of graphic design’s main economic function from producing information to providing a surface for quietly recording as much human activity as possible. Graphical user interfaces hide the action of software by their very grain;⁶ they provide the necessarily limited sets of representations and interactions that allow

people to use machines made of code. Google, Facebook and many other organizations use this concealing characteristic of the medium with remarkable success to imperceptibly absorb and sell the details of our lives. While digital graphics continue to perform the visible communications that we expect of them—inherited from our expectations of paper and the printed page—they make their greatest contribution to the present as a central affordance of surveillance.

10. To “keep the user informed about what is going on” is a declared aim of the design disciplines,⁷ yet in practice this refers almost exclusively to superficial, user-initiated interactions of minimal political consequence. Apple once planned to introduce an update to the iPhone that would have displayed a blue bar across the top of the screen any time an app was collecting location data, which would have made undeclared surveillance on iPhones far more visible and disconcerting.⁸ That this feature was shelved suggests how much

must be hidden from public audiences so public-facing software remains commercially viable and, at the same time, underscores the considerable potential for simple graphic interventions to modify social relations mediated by visibility. Snowden’s disclosures surfaced a National Security Agency PowerPoint presentation that became an object of playful design critique online. The unfathomable scope of the spying described in the document seemed at odds with its apparently hasty, unconsidered appearance. Its publication seemed to demand better style, and made the slides a case study for designers to comment on and redesign to illustrate the value of professional design expertise. Though ironic, this response maintained a normative investment in graphic design as an end unto itself, in every context, without regard for the meaning of locally resonant visual codes or the contingent relation of clarity to the desired outcome at hand. It is possible that the appearance of the presentation was well crafted for its intended audience, just as it is possible that a clear presentation was not the goal.⁹

Graph produced by National Security Agency on dates when PRISM collection began for each provider
IMAGE © WIKIMEDIA COMMONS



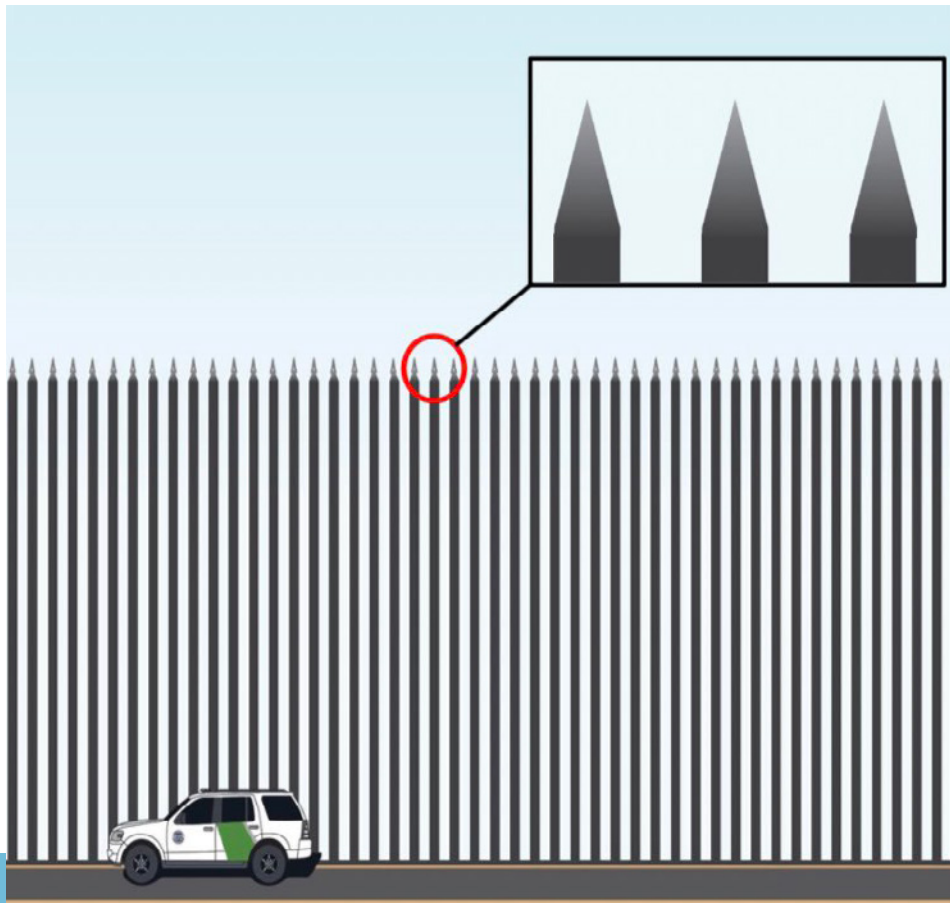
11. Design history engages only the artifacts and authors available for public circulation, and leaves absent work whose function hinges on continued non-disclosure. Such graphics are disqualified from the public discourse of graphic design, and their absence haunts it. In this way, graphic design discourse is shaped by that to which it cannot refer: its apparent preoccupation with corporate image and visual identity reflects the presence of only those subsets of graphics most amenable to public reference. Perhaps contrary to popular understanding, graphic design production—unlike art, from which it derives its ideas of authorship and canon—does not produce artifacts for a public audience as a general rule. That it seems to do so reflects a sample bias that has been amplified and reinforced over time by the outwardly promotional strand of the field.

12. In light of this, an attempt to better understand graphic design might draw attention to the proprietary and unknowable majority of its corpus, perhaps by seeking out graphic histories whose need for secrecy has diminished through the passage of time.

13. Histories of incidental graphics would unfold the graphic dimensions of other histories. They would do so with a primary interest in affordances and effects.

Image of border wall diagram in tweet by Donald Trump with caption "A design of our Steel Slat Barrier which is totally effective while at the same time beautiful!" December 21, 2018

IMAGE © DONALD TRUMP / TWITTER



Tucker McLachlan is a designer in Toronto.

ENDNOTES

- 1 Lisa Gitelman, *Paper Knowledge: Toward a Media History of Documents* (Durham: Duke University Press, 2014).
- 2 Ariella Azoulay, *Different Ways Not to Say Deportation* (Vancouver, BC: Fillip Editions, 2012).
- 3 David Wolpe, "The Japanese Man Who Saved 6,000 Jews With His Handwriting," *The New York Times*, October 15, 2018.
- 4 Alexander Morris, *The Treaties of Canada With the Indians of Manitoba and the North-West Territories* (Toronto: Willing & Williamson, 1899).
- 5 Hito Steyerl, "Documentarism as Politics of Truth," *Transversal*, May 2003.
- 6 Frank Chimero, "What Screens Want" (2013); <https://frankchimero.com/writing/what-screens-want/>
- 7 Jakob Nielsen, "10 Heuristics for User Interface Design," Nielsen Norman Group (January 1, 1995); www.nngroup.com/articles/ten-usability-heuristics/
- 8 Sarah Perez, "iOS 11's Blue Bar Will Shame Apps That Overzealously Access Your Location," *TechCrunch*, June 26, 2017.
- 9 Elisabeth Bumiller, "We Have Met the Enemy and He Is PowerPoint," *The New York Times*, April 27, 2010.

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