ARTLEAKS Gazette

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Breaking the Silence – Towards Justice, Solidarity and Mobilization

Nearly two years have passed since the ArtLeaks platform published its first case. Enough time, however, for this transnational project to gain force and speak for itself. It speaks of a threshold which borders the structural violence of a system that we recognize as unfair and unjust. For everywhere we look, be it in the old West, in the New Europe, or in Asia or Latin America, we recognize similar patterns: unpaid cultural workers, censored artists, the precarization of life, the brutal crushing of one's rights for political, social, and economic emancipation.

In these two years in which cases have been regularly published on ArtLeaks, we learned that Mexico City is far from Toronto, and that Calcutta has little in common with Dubai. Nevertheless, it is symptomatic that from amidst zones of the global cultural realm previously not at the forefront of debate, some of the most powerful voices which struggle for new types of democratic engagements have emerged. It is here where violence appears most evidently, where Capital is in the process of producing its discriminating laws and its oppressive hierarchies, and where Creative Capital organizes in its laboratories its most dreadful experiments. At a global scale, we witness how political radicalism is digested with easiness by corporate culture, while the commons are registered as copyrighted trademarks; we diagnose the artistic research being privatized, we see how the market takes over and dictates the conditions of art production, dissemination and reception, while spreading its ideological representations of wealth and fame to come in a future afterlife. Last but not least, we acknowledge how nationalisms, xenophobia and racism are incorporated into the official dominant culture of the neoliberal state, while dissenting voices are censored, repressed, and shut down.

If the ArtLeaks platform intended to highlight and expose structural redundancies of the art and cultural system, through the first issue of our Gazette we aim to address the problematic of reinventing tools for the mobilization of resources and emancipatory models that help to articulate the movement of cultural workers. The texts, which were selected from a pool of open-call submissions under the theme of

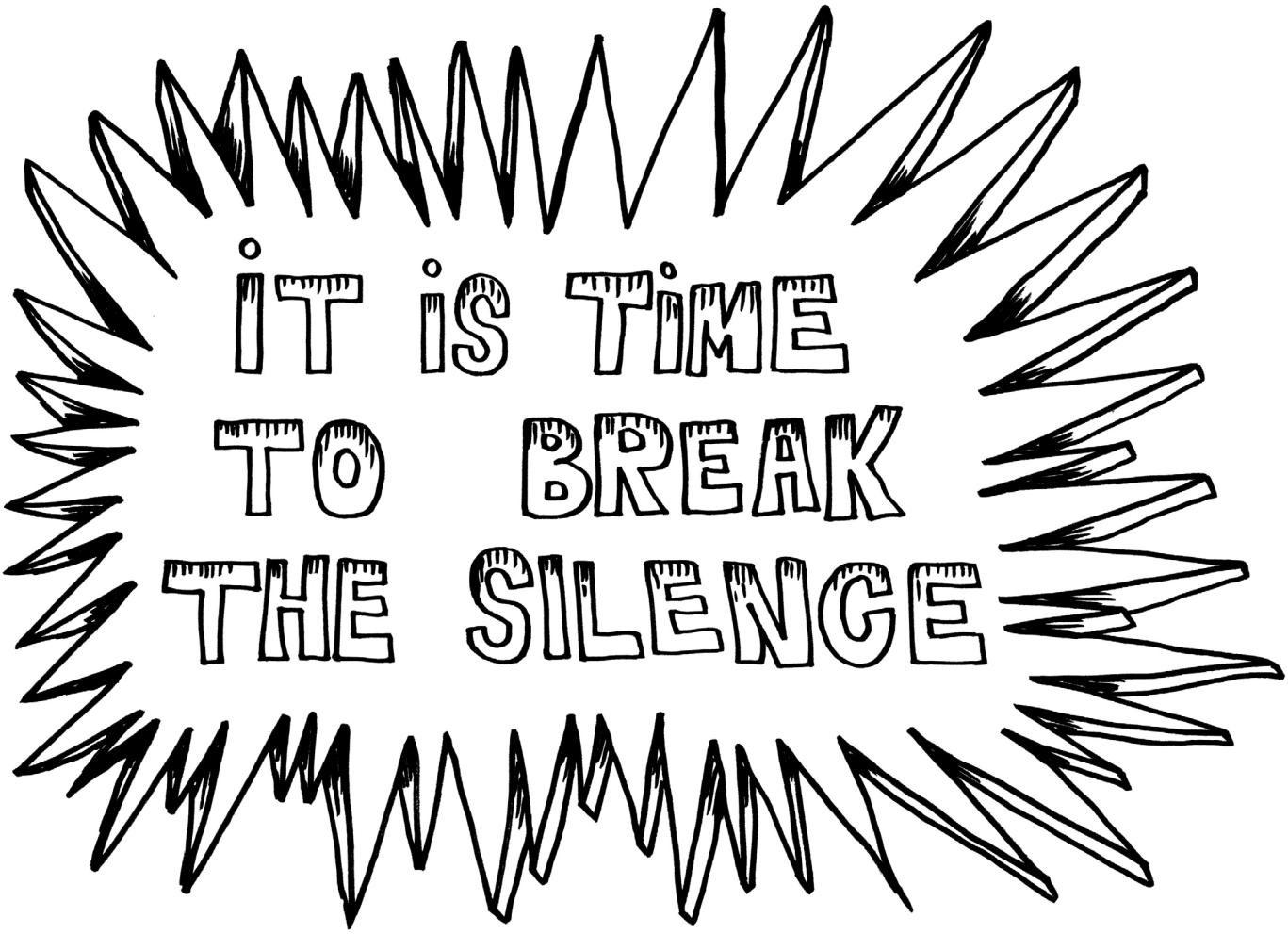
"Breaking the Silence," bear the mark of the specific contexts of their production: nevertheless, they are all brought together by the red thread of the will to bypass the passive registering of a future cultural death.

In the aftermath of the Canadian student protests of 2012, which saw an unprecedented solidarity between students, artists, and other professions, Milena Placentile revisits processes of the privatization of education and the arts: she suggests that what is at stake is control over culture, as control over the autonomy, rights and citizens' power of imagination and she revisits models of artistic resistance which have been shaped by the will to resist repression. With the experience of the Dutch infrastructure of the arts, currently under fierce right wing attack, and basing his approach in key moments of recent history of culture, Jonas Staal argues for a new approach towards what we understand through the concept of institutional critique, an approach which strives to make visible different ideological camps and that involves taking decisions on which of these camps one belongs. In this context, he discusses how his New World Summit project – which articulates alternative parliaments for political and juridical representatives of organizations currently placed on so-called international terrorist lists – articulates a transgressive movement before and beyond the demarcation lines between art and activist politics. Evgenia Abramova achieves a practice based radiography of the labor conditions of art workers in Moscow, and draws conclusions on further steps to be taken in the harsh Russian political context. Veda Popovici, a participant in the occupation movement of the Bucharest University and in the Romanian street protests of 2012 investigates art's power to act politically, and analyses the opportunities allowed by the cracks in the state's law. Mykola Ridnyi brings forwards the social and political context of Ukraine, highlighting its derive towards repression, conservatism, and Christian orthodoxy, and denounces cases of censorship in relation to these shifts. Amber Hickey recounts the story of the birth of the Liberate Tate collective in which she is part of, and focuses on the tactics that this spontaneously articulated group considered amidst the blatant conditions of censorship that Tate Modern imposed in relation to its main sponsor, British Petroleum. She also investigates the larger framework of the ethics of art's sponsorship deals, in the context of the struggle of institutional critique artists. Fokus Grupa suggest that inheritors of last century's thrust for articulating artistic manifestos are various attempts to formulate artist's contracts; through the workshops that they organized with various types of audiences, they propose that articulations of artists' contracts and agreements represent concrete steps in the struggle of protecting cultural workers' rights. Marsha Bradfield and Kuba Szreder recount London based research cluster Critical Practice's attempt to propose a project which would have inserted itself in the fibre of the institutional apparatus of the Berlin Biennial, with a declared intent of changing the biennial's economy. Acknowledging their failure, the two authors investigate what it would take for such a proposal, amounting to fairer revenues to all the actors involved, to be successful. Finally, drawing on the history of artists which have refused, in

various occasions, to take part in exhibitions which were ethically and politically problematic, Lauren van Haaften-Schick presents her project of collecting letters of "non-participation" which will be further disseminated as a publication and exhibition series. To these contributions, Evgenia Abramova, Milena Placentile and Gregory Sholette, added to the glossary of terms, by discussing the concepts of "art worker", "labour conditions", "neoliberalism" and "glut".

Thanks to all those who have contributed and helped to put together this first issue of the ArtLeaks Gazette, the editorial collective is confident that the discussions which will follow will significantly contribute to our common struggle of reinstating justice, solidarity and mobilization in the cultural field.

ArtLeaks Gazette Editors
http://art-leaks.org



CONTROLLING THE LIMITS OF POSSIBILITY: ON THE PRIVATIZATION OF EDUCATION AND CULTURE

Milena Placentile

In his influential text, "Culture is Ordinary" (1958), Welsh academic, novelist and critic, Raymond Williams made a compelling case for a holistic definition of culture that embraced both ways of life and the processes of discovery and creative production in knowledge and the arts. Culture has since been more widely recognized as that which encompasses not only what we make or believe, but all that we are. How we live out each and every day of our lives, and how we interact with those around us, is shaped by our cultural value systems. Through language, education, tradition and ritual, etiquette and other codes of acceptable behaviour, culture conveys the terms that comprise the social contract by which we participate in civic life.

To control culture is to influence how people perceive their autonomy, agency, and rights, including their capacity to imagine what is and is not possible. It is in this light that the increasing privatization of education and art, all too infrequently discussed in the same breath, can be better understood not only as part of the drive to increase corporate profit through the privatization of *everything*, but as a strategy to facilitate more aggressive social transformations in the future.

English literary theorist and critic, Terry Eagleton, noted that "we live within societies whose aim is not simply to combat radical ideas—that one would readily expect—but to wipe them from living memory: to bring about an amnesiac condition in which it would be as though such notions had never existed, placing them beyond our very powers of conception." (*The Ideology of the Aesthetic*, 1990). This includes efforts to "normalize" certain conditions to the point that others cannot be imagined.

When private enterprise encroaches onto (or becomes insinuated within) sites presumed to value intellectual and creative freedom such as institution-based sites

of learning, and public or semi-public cultural spaces such as art galleries and/or artist-run centres, the implicit and explicit messaging about the need for that presence, including its right to be there, affects perceptions about the role and status of business in public life. The nuances of this can be quickly summarized by former British Prime Minister Margaret Thatcher's now infamous pronouncement at the end of the Cold War that capitalism was the only valid ideology around which a society may be organized: "there is no alternative."

How valid, or normal, is it that fast food outlets dot university campuses where independent cafeterias once stood? Or that corporations fund research chairs and claim partial or complete ownership of the advances achieved within, while simultaneously stifling contradictory research? Or that art galleries require corporate sponsorship for exhibition programming and actively consult with sponsors to ensure brand identity is not compromised? The idea that the private sector's needs trump the right of individuals and communities to access intellectual and economic diversity as a public good is problematic, and yet it prevails. The superior status of corporations—either because we've come to rely on them financially, or because they are considered better at fulfilling services—is a matter of cultural socialization. It is a learned concept repeated by politicians and the media, and in many classrooms.

While some might think for-profit interests sneaking into and taking control of universities and artistic institutions sounds like conspiracy, consider that its no coincidence former Québec Finance Minister, Raymond Bachand, in February 2010 described planned austerity measures under the leadership of Liberal Premiere, Jean Charest a "révolution culturelle"[1] (a cultural revolution). The first step to removing public services as a social right from the public imagination is to normalize user pay post-secondary education and health care as the only logical response to economic crisis. Training people to accept cuts reluctantly, and forget that better options existed is a matter of shifting their way of thinking and their expectations.

If it was a cultural revolution they wanted, it was a cultural revolution they got... just not the one they expected. Having both more politically literate and effectively structured student unions than elsewhere in Canada, as well as a longer history of grassroots organizing, Québec students declared the tuition hikes a form of class warfare and initiated resistance through lobbying and demonstrations. On February 12, 2012 they were pushed to launch an unlimited general strike ("grève générale illimitée"). Daily actions further articulated how their concerns were situated within the broader context of neoliberal globalization. As parents and grandparents began to stand up for the students in their lives, and as high-schoolers faced their future, resistance grew to create a citizens' movement where many people participated in direct action for the first time in their lives to produce traffic blockades and other economic disruptions. The province responded with violence and, just like scenes associated with Occupy, police gleefully attacked even the most peaceful of demonstrators.

In May 2012, the new Bill 78 restricting education-related protest turned into the draconian Law 12 which, like the War Measures Act, imposed curfew and limited assembly. Groups of more than 50 people[2] were obligated to seek permission from authorities or face stiff penalties including fines of up to $125,000 per day[3]. At this point, more citizens were pushed to the brink and rejected the province's scare tactics. In an unprecedented move, even members of Barreau du Québec[4] wearing their official robes, joined the protests. The single largest act of civil disobedience in Canadian history took place on May 25 with estimated participation of between 400,000 and 500,000 people[5]. By July, the city of Montreal and province of Quebec had spent $9 million[6] on policing alone to quell the demonstrations, proving the argument that there was more than enough money available for education and that spending is a choice.

Le carré rouge, the red square, became a symbol of solidarity and collective strength. Rallied by inspirational imagery and slogans featuring it as produced by students and artists, never before had such a broad cross-section of citizens, from babies in strollers to elderly persons with walkers, mobilized against an elected government in Canada. The Québec Liberals reluctantly called for an election in September and they lost. However, the victory for the striking students and other progressives was slim. The Parti Québécois won a minority government and promised to drop the current tuition hike, but warned discussions would need to resume the following year. The PQ also halted the Liberal's "Plan Nord", an economic development strategy with dire health and environmental consequences. The streets of Québec are quiet once again and although true transformation has yet to happen, its population is considerably more self-aware, both of the circumstances surrounding them, and of their power.[7]

Street actions, courtesy of the author.

Yet many more efforts to privatize pass without so much of a peep, particularly in the world of arts and culture, increasingly labelled "the cultural sector" or "creative industries".

Business for the Arts[8], a Canadian organization based in Toronto, moves across the country promoting its artsVest program[9] with evangelical zeal. The initiative encourages regional arts councils to offer matching funds to cultural organizations that obtain sponsorship from private enterprise. Having recently joined, the Winnipeg Arts Council's website describes the program as follows:

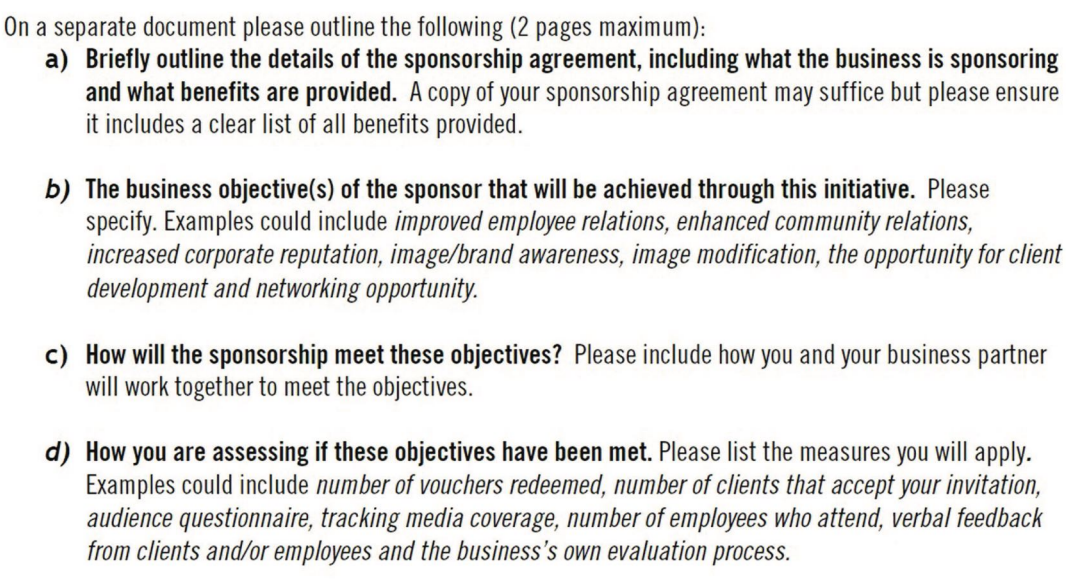
The goal of artsVest Winnipeg is to foster the development of new, innovative and mutually beneficial partnerships between Winnipeg's small to mid-sized businesses and cultural organizations. artsVest will not only provide training and matching incentives for cultural organizations, it will also help build important bridges between the arts and business communities. *The arts provide currently underutilized opportunities for business investment. With large and diverse audiences, arts events and projects provide businesses with terrific marketing opportunities. This program will help cultural organizations think more creatively about sponsorship opportunities when seeking partnerships, and assist them in stewardship after the sponsorships are secured*[10].

Offering one level of matching funds to organizations that woo a business donating to the arts for the first time in three years, less to organizations if the business has a history of giving, and less still for in-kind sponsorships, the program emphasizes free training to pitch proposals and access to a declining fund on a first come/first served basis until the money in a given round runs out. This translates into arts organizations not only competing for sponsors, but for the first crack at a new sponsor since that has greater return. Winnipeg is entering its second year of the program.

Whether the Winnipeg Arts Council's discontinuation of its Special Projects Grant program was independent of the introduction of artsVest has yet to be addressed, but the result is the same: non-profit arts organizations are obliged to cozy up with for-profit business because traditional sources of funding are disappearing. One arts administrator reported in confidence that three distinct attempts to acquire sponsorship were met with criticisms that her organization's projects were "too weird". She was initially enthusiastic about artsVest, but has since revised her position. Other administrators, from albeit less risk-taking organizations, view the program as useful with one administrator even going so far as to suggest artsVest is "only trying to help us prepare for the future", as if Business for the Arts is somehow motivated by empathy. This type of response unquestioningly accepts the ideological rhetoric of austerity as if there really where no alternative, when in fact that couldn't be further form the truth.
Founded in 1974, Business for the Arts, much like its British counterpart, Arts & Business (formerly Association for Business Sponsorship of the Arts founded in 1976), takes cues from the Business Committee for the Arts[11] founded in 1967

by the same US banking tycoon David Rockefeller who founded and maintains involvement with an aggressive neoliberal think thank called the Trilateral Commission.[12] In all cases, these private organizations receive varying degrees of public funding to encourage non-profit public cultural organizations *away* from public funding. The elite that frame these organizations use regressive tax law to dismantle the base that makes public funding available with one hand, while ushering non-profit arts and cultural organizations into the grasp of business with the other.

What does a company peddling financial services, or insurance, or premium liquor have to do with arts and culture, anyway? Absolutely nothing, until the company decides a cultural partnership will help them "increase corporate reputation, image/brand awareness" and/or achieve "image modification". It's a zero-sum game disguised as win-win. The for-profit business gets a fully deductible marketing expenditure while cultivating their public and brand image. The non-profit, on the other hand, jumps through hoops keeping the sponsor happy, whether by satisfying their ego or ensuring programming stays just the way sponsors like it. The additional benefit to for-profits is that non-profits become dependent on their success: why rock the boat participating in social or economic disruption if it might cause sponsorship pockets to shrink? It is certainly no coincidence that Director of Arts & Business, Colin Tweedy, suggested in 1991 that arts sponsorship was one of the cornerstones of Thatcherism.[13]
This becomes a question of how we want to spend our time – learning how to suck up to businesses more effectively or becoming educated about the larger framework motivating these changes while self-organizing to resist them?



On a separate document please outline the following (2 pages maximum):

a) **Briefly outline the details of the sponsorship agreement, including what the business is sponsoring and what benefits are provided.** A copy of your sponsorship agreement may suffice but please ensure it includes a clear list of all benefits provided.

b) **The business objective(s) of the sponsor that will be achieved through this initiative.** Please specify. Examples could include *improved employee relations, enhanced community relations, increased corporate reputation, image/brand awareness, image modification, the opportunity for client development and networking opportunity.*

c) **How will the sponsorship meet these objectives?** Please include how you and your business partner will work together to meet the objectives.

d) **How you are assessing if these objectives have been met.** Please list the measures you will apply. Examples could include *number of vouchers redeemed, number of clients that accept your invitation, audience questionnaire, tracking media coverage, number of employees who attend, verbal feedback from clients and/or employees and the business's own evaluation process.*

artsVest Winnipeg Sponsorship Confirmation Form Page 3 of 5

Excerpted screen capture from Winnipeg Arts Council artsVest funds request/report form showing benefits to business as quoted above

As of December 19, 2012, The Canada Council for the Art's "Grants to Professional Independent Critics and Curators" program was renamed "Visual Arts: Project Grants for Curators and Critics". Removal of the word "independent" is not only highly symbolic for a program that once proudly offered financial support for the production of critical, conceptual space outside of institutional frameworks, but unexpected changes to the program's expense allowances now force unaffiliated curators to work through institutions. Whereas unaffiliated curators could previously use grant money to pay artist fees and expenses related to mounting an exhibition, "the program no longer supports the presentation or publication of work. It focuses on curatorial research, writing and residencies[14]." This is a huge blow to independent thought tantamount to censorship because a national jury of expert peers is no longer enough to declare an experimental project worthy of support. Institutions are now reinforced as gatekeepers, and given extra padlocks and chains. This is especially disconcerting because, increasingly dependent on corporate sponsorship as they are, risk-adverse curatorial staff needing programming approval from increasingly elite and conservative Board members will pursue fewer and less challenging projects rather than rock the boat. Perhaps it was the timing of the announcement, like so many other Harper Government[15] tidbits that slip by unnoticed, but Canadian curators have yet to blink over this one.

It is worth mentioning that these changes come at a time of expanding discourse around professionalizing the arts through education. Beyond the introduction of Doctoral level studies in studio practice as research, there are now public and private degree programs and certifications for arts administrators, curators, and dealers now known as commercial gallerists. The ever-growing network of curatorial training programs is particularly interesting in that while encouraging participants to move from one to the next in a new form of tourism for the wealthy or those willing to incur debt, they also happen to extend notions associated with western capitalism further afield. This is arguably a form of cultural imperialism in and of itself. Many of these programs implicitly promote a unified theory of curating that systematizes approaches, ultimately culling out the exceedingly radical as trainees are encouraged embrace incessant travel between large, overhead hungry institutions and to view them as responsible forums still distinct from the art market and all that it implies. Further still, the growth of private consultancy for artists, from how to find abundance to how to become famous, imparts the idea that artists lack business savvy and are doomed to failure without it.

Each country has distinct histories with regard to colonization and imperialism, class struggle, gender disparity, and economic distribution, yet it is generally recognized that those with a more fair approach to social welfare have higher overall standards of living, including better respect for social, political, intellectual and creative freedom. And while the experience of people (including artists) still varies from place to place, those with access to a more diverse public realm can encounter greater opportunities.

The move toward privatization therefore hinges on questions of perceived dependency. University Presidents, Regents and Senators, just like Board Members and Directors of arts and cultural organizations, could easily decide they don't want or need policies with ideological bias in favour of profit and yet they don't either because they are afraid of confronting power and losing what funding they have left, or because they are (or want to be) power.

Not all people of the world have access to public funding for education and the arts, but why should anyone allow what does exist to be budgeted out of existence? Why should citizens go to corporations, foundations, and wealthy individuals, hat in hand, to seek their favour? Instead of pandering to these entities, which frequently compromise the true needs of students and/or cultural producers, decision-makers could advocate for economic elites to pay their fair share of tax and demand the closure of legislative loopholes that allow casino capitalism to create crisis upon crisis.

It is widely proven that corporations and the wealthy are paying less tax now than ever and what's left is being squandered on militarization, prison expansion, and otherwise squarely into the hands of the elite through subsidies, bail outs, research and development tax credits, and other corporate welfare. Just as corporate sponsorships of the arts doesn't clean the reputation of the companies involved, taking their fair share back into the public purse doesn't clean money either, but it does mean that the public defines what happens to it, as it is within the public realm that we can continue to struggle for greater equality for all. Private interests don't promote experimental investigations of society, unless it somehow serves their goal of increased profitability, and only when they can control the message. They don't want to challenge anyone into thinking differently about the status quo. They only want to grow and increase their share of power, including social and cultural capital, which allows them to do this with greater ease.

Some will argue that taking government out of the arts is a good thing – that it will return to being produced out of passion, and those who struggle hard enough will be recognized. But isn't it already a debunked cliché that starving artists work the hardest because, even if they're not recognized in their lifetime, posthumous fame is reward enough? Some will argue that autonomous artists were just a blip on the radar of history and needing patrons now is no different than before. Then what was the point realizing the incredibly essential role of artists as forecasters, interpreters, visionaries, idea makers, experimental explorers, or (as is now popular) researchers for public good? Whether one values the arts for their empowering and transformative capacity, or whether one merely appreciated their decorative benefits, surely it can be agreed that reducing the spectrum of possibility does not serve society well.

As frustrating as it is that so few in the arts appear willing to vocalize opposition to the growth of private for-profit influence over society, there are glimmers of hope. Take for example the incredible work of the BeautifulCity.ca Alliance[16] that, initiated by Toronto-based artist/curator, Devon Ostrom, sought to tax billboard advertising to fund art in the public sphere. A nearly decade long battle to resist the overbearing presence of corporations in public space successfully imposed the tax, triumphed over advertisers in a court of appeals, and finally fought regressive attempts by the city to re-direct the newly collected tax away from the arts[17]. Exciting!

As cultural producers, many with ties to academic institutions in one form or another, we can choose to recognize that our practices are increasingly used to support the profitability of the corporate power elite in ways that harm our best interest. We can choose to communicate directly with our communities and form relationships on our own terms. We can choose to organize ourselves by asserting our values and demonstrating resistance to the "there is no alternative" attitude. All we have to do is start.

1 "Budget: Raymond Bachand talks about the 'cultural revolution,'" 2010, published in Les Affaires: http://www.lesaffaires.com/secteurs-d-activite/gouvernement/budget--raymond-bachand-parle-de-revolution-culturelle/510567

2 "Quebec Law Breaches Canada's International Human Rights Obligations," published in Amnesty Internaitonal: http://www.amnesty.org/en/news/quebec-law-breaches-canada-s-international-human-rights-obligations-2012-05-26

3 Bruce Walsh and Grace Westcott, Quebec's Bill 78 –Law or Order?," 2012, published in PEN Canada, http://pencanada.ca/blog/quebecs-bill-78-law-or-order/

4 Barreau du Québec (Bar of Quebec) is the provincial law society for lawyers in Quebec, Canada. It was founded May 30, 1849, as the Bar of Lower Canada.

5 Amelia Schonbek, "The Long March: On the Frontlines with Quebec's Student Protesters," 2012, published in The Walrus: http://thewalrus.ca/the-long-march/

6 Quebec student protests add $9 million to policing costs, 2012, published in Maclean's: http://www2.macleans.ca/2012/07/16/quebec-student-protests-add-9-million-to-policing-costs/

7 This text was written several months ago, and the struggle continues. To summarize, the Québec Government's Summit on Education (February 2013) resulted in the unfavourable decision that tuition rates should rise according to inflation. Students returned to the streets and, since February 26, have faced terrible police violence sanctioned under a new City of Montreal Bylaw, P-6, which much like Québec Bill 78, declares protest illegal. A large demonstration is taking place on April 22, against P-6. For updates about the student uprising, please visit: http://www.asse-solidarite.qc.ca/. Written in French, the site provides accurate information posted by the most active organizers, L'Association pour une solidarité syndicale étudiante. Another source is a booklet called "Le fond de l'air est rouge" by Stefan Christoff of Howl arts collective, which will launch at the Brecht Forum on May 20: http://www.howlarts.net/words.

8 More about Business for the Arts (Bfta): http://www.businessforthearts.org/
9 More about artsVest: http://www.artsvest.com/
10 More about artsVest Winnipeg: http://www.winnipegarts.ca/index.php?/artsvest_winnipeg.
11 As counter-intuitive as this may seem, Business Committee for the Arts merged with Americans for the Arts in 2008 - http://www.americansforthearts.org/news/press/2008/2008_10_28.as
12 More about Rockefeller's involvement with tthe Trilateral Commission: http://www.trilateral.org/go.cfm?do=Page.View&pid=2
13 Colin Tweedy, "Sponsorship of the Arts - An the Outdated Fashion or Model of the Future?", Museum Management and Curatorship, vol 10, June 1991, p 161. Cited in Chin-tao Wu, Privatising Culture: Corporate Art Intervention since the 1980s. London: Verso. 2002.
14 Private correspondence.
15 Tories rebrand 'Government of Canada' as 'Harper Government'," 2011 published in: The Toronto Star: http://www.thestar.com/news/canada/2011/03/03/tories_rebrand_government_of_canada_as_harper_government.html
16 More about BeautifulCity.ca: http://www.beautifulcity.ca
17 Toronto Arts Council Press Release, 2013: http://hosted.verticalresponse.com/246297/2319cddc69/1379032459/1ba7dc26a6/

Milena Placentile is a curator, writer, and researcher concerned primarily with socially and politically motivated artistic practices, audience experience, and integrated cultural policy. Her current research explores the neoliberalism of culture and resistance via self-organization and other means. She holds a Master of Museum Studies from the University of Toronto. Placentile is a regional contributing editor to Fuse. Recent exhibitions include: The Pinky Show: Class Treason Stories (excerpts) (University of Winnipeg, 2009; Toronto Free Gallery, 2010), three online exhibitions for the Vancouver 2010 Cultural Olympiad: Competition, Corporatization, and Consumerism (2009/2010).

ART, DEMOCRATISM AND FUNDAMENTAL DEMOCRACY

An exploration of the New World Summit

Jonas Staal

1. What Do We Mean When We Say "Art"?

In order to answer the question what we mean when we use the word "art", I believe we should first address the ideological context within which the word art is articulated and operational.

Owing to the sustained frontal attack of Dutch extreme-right politicians on contemporary artists and art institutions, which they claim to be propaganda for the left – or whatever is left of the left – the word "art" has in the Netherlands now indefinitely lost its "sovereign" status. It seems that, uncomfortably enough, the extreme right has a point. The terminology that they use to disqualify art, such as the now infamous concept of art as a "leftist hobby," may be obscene, but the fact of the matter is that the current Dutch cultural infrastructure is rooted in a clearly ideologically defined era. Owing to the extreme-right discourse, the word "art" has today returned to its place in a long forgotten social-democratic post-WWII policy.

This policy described the task of the cultural infrastructure as spreading art and culture to the entire population. The social-democrats perceived art to be a form of knowledge that belonged to the shared collective project of building a new civilization, rather than art being the property of an aristocratic minority that had ruled the old world which had collapsed in totalitarianism.[1] But even though the extreme right justifiably considers art to be propaganda for the left, their discourse lacks precision and historical awareness. Nonetheless, they are right that the values that we attribute in artistic discourse to the role of art in society, finds its roots in this specific, social-democratic tradition. A project of democratizing knowledge, which I in essence support. However, the conditions under which this democratization was supposed to take place ended up obfuscating precisely what was at stake – the project became incorporated in the worldwide expansion of capitalist democracy, reducing art to a state run tool to provide incentive for so-called "creative industries" – and it took the intervention of the extreme right to reassert the ideological core of the Dutch cultural infrastructure.

It was in the context of this specific social-democratic project that the Dutch artist was able to gain his celebrated freedom: the idea of the artist and art itself as *sovereign*. This idea is precisely the one I object to: the idea of sovereign artistic freedom masks the *essential political task* attributed to art as a form of knowledge and knowledge distribution. This idea is a remainder of the post-WWII cultural infrastructure which was meant to provide artists with the means to create their work unrestrained by political influence. Unrestricted by the propagandistic use that the Nazi regime – which today remains the symbolic embodiment of 20th century totalitarianism – had made of the arts. It is this *fear of propaganda* that has obscured the essentially ideological project that art embarked upon. This fear created a depoliticized art, believing it was sovereign yet serving a specifically political goal.

As a result, the Dutch cultural infrastructure was created with the unacknowledged aim to formalize the ideal of democratic freedom, with which the newly risen "enlightened" West distinguished itself both in space from the East and in time from its blood-soaked past. By establishing the role of the artist as the symbol of democratic civilization and freedom, it was not so much the *artist's work* that mattered, but the *unrestrained existence of the artist within the democratic state itself*. It is not the artist that sculpts society, but it is the artist himself who is sculpted based on a vision of the post-WWII democratic state.

We encounter here the underlying principle of the doctrine of artistic freedom: if the democratic state grants freedom to the artist, it does so at a double profit. First– it makes each and every artist into a living statue of liberty; they become a propagandistic tool merely because the state sponsors their free existence.[2] But second, and most importantly, *the state is at the same no longer directly responsible for the results that the artist produces.*

Whenever politicians do take direct responsibility for artistic productions they are met with heavy criticism, as the image of the propagandist continues to hunt their proximity with artistic practice. Even though we know that the real curator of the cultural infrastructure is the state, acknowledging this situation would dispel the systematically sustained smokescreen of artistic sovereignty, as a pillar of democratic freedom. The politician is the man behind the curtain that shapes the artist in its vision of a statue of liberty, but this gesture that *presupposes* the artwork can never be acknowledged in public. As it would show this to be a freedom not "autonomous," not "universal," but bound in the specific material conditions of the democratic doctrine.

The French philosopher Jacques Ellul speaks of our technologically driven society in terms of total propaganda. The biggest achievement of *total propaganda* is that even those in power – those who commission the artists to become the living statues of liberty, the avant-garde of the democratic state – have come to believe their actions and policies have nothing to do with propaganda. Their statues of

liberty, their armies of artists, are nothing but the "natural" outcome of the struggle of democracy over totalitarianism. Propaganda is thus "total" at the moment it becomes the only possible truth, "just the way we do things."[3] And thus we march on, artists and politicians, in line with an ideological composition that none of us is capable of remembering why and how it ever came in to being. We are serving freedom. But *who's freedom* we're serving has long been obscured.

2. Democratism

From the moment that the Dutch post-war doctrine of artistic freedom was translated into a cultural infrastructure, we have witnessed the rise of a form of propaganda that solely serves what is best referred to as "democratism." When working in Japan with philosopher Vincent W.J. van Gerven Oei in 2009, we discovered that the word "democracy" did not originally exist in the Japanese language. As Japan gained its "independence" as a result of the imposition of a constitution drafted by the United States this "democracy" had to be somehow articulated in words. It than occurred to us that the neologism used as a translation for the word democracy, in the Japanese language (minshushugi), translates as an "ism" (-shugi), just like "capitalism," "relativism," or "Marxism." As *democratism.* Democracy is therefore no longer a neutral foundation for a variety of other ideologies to manifest itself, but can be understood as an *ideology itself* – as one of the many *'isms'* that the world is already familiar with..[4]

Democratism indicates the translation of the constantly self-reassessing emancipatory principles of democracy into a stagnant, non-reflexive ideology of administration and governance. Of core importance is a series of monopolies that democratism *enacts*, namely the monopoly on violence, the monopoly on representation, the monopoly on information and the monopoly on history. I would argue that, despite art's claims as a form of knowledge production and source of alternative histories, it is within the context of democratism impotently trapped in its doctrine of sovereignty: the painful truth is that exactly because art is considered free, it cannot refer to anything but the status quo of democratism itself. It can thus engage in anything, except in disrupting exactly these democratist monopolies. It can be anything, *except democratic*.

The Dutch cultural infrastructure is obviously not the only propagandistic product in systematic denial of its own ideological agenda. We may for example point to a notorious CIA funded project during the Cold War, the "Congress for Cultural Freedom," which among others had the task of globally promoting the works of American abstract expressionist artists, in response to the pictorial regime of socialist realism as the officially sanctioned art of the Soviet Union. A unique form of artistic state funding in the history of the United States which historian Frances Stonor Saunders has described as the "Deminform."[5]

Through the Congress for Cultural Freedom, the notion of "abstract art" was transformed into a synonym of "free art." Even though the American public at large was not at all charmed by the works of the abstract expressionists, this abstraction allowed democratism in the context of the Cold War to be depicted as the "natural" outcome of centuries of social struggles *exactly by ruling out all depiction*. The work of Jackson Pollock, this weapon of the Cold War, is the ultimate figurative representation of the incapacity of the artist to understand his role as instrument of democratism. This implies that I do not acknowledge his work as abstract, but that I perceive it as a series of figurations that we are supposed to recognize as "abstraction."

We are in permanent need of a critique of ideology in order to identify the types of infrastructure that convey the real meaning to our work as artist, to understand them so we can change them. But how to know the types of propaganda that we are dealing with in a state of total propaganda? Terry Eagleton evaluates this condition as follows: "The most efficient oppressor is the one who persuades his underlings to love, desire and identify with his power: and any practice of political emancipation thus involves that most difficult of all forms of liberation: freeing ourselves from ourselves."[6] The difficulty today, in the condition of total propaganda as described by Ellul is that there is no longer anyone who even identifies him or herself as the person in power, let alone as the oppressor…

Within what we would currently consider as "traditional" propaganda, we may already find the clues of the way in which Ellul's total propaganda will come to assert itself. In the classic 1942 Donald Duck cartoon "Der Führer's Face" Donald finds himself as a Nazi in Germany, where he eats bread made of wood, works 24 hours per day, with only minor breaks during which he enjoys a fake mountainous background, before being forced back into the weapons factory where he is enslaved by the Nazi industry. When Donald mentally crashes due to the excessive workload, he wakes up in his own bed. Upon realizing it was just a dream, he suddenly sees the shadow of what seems to be a Nazi officer saluting him – convinced that his own country has now been taken over as well; Donald immediately returns the shadow's Nazi salute. At that moment he realizes that he is actually standing in front of the shadow of the Statue of Liberty, and thus reassured he calmly returns to sleep. But at this specific moment – the moment in which one totalitarian doctrine is confronted with another, in which the Nazi salute is for a brief moment equated with the Statue of Liberty's pose – the film provides a brilliant criticism of our *lack of tools* to recognize the condition of total propaganda in contemporary democratism.

3. From Institutional Critique to Fundamental Democracy

The betrayal of emancipatory principles in the imagery of democratism's propaganda, has been addressed most valuably in the artistic research that we

call Institutional Critique. This ongoing research started in the sixties of the last century. Artists simply stopped producing and exhibiting objects, trying instead to shed light on the politics of their own practice as well as the politics of the institution representing – thus framing – their practice. What became central in their practice were thus the conditions allowing them to become instrumentalized as the living statues of liberty for Deminform, rather than the services they were providing in its interests. The artists involved in Institutional Critique thus engaged in an emancipatory project, recognizing themselves as part of the art institution, as complicit to the "democratic" state and "free" market regimes that defined art's political, economic, and overall ideological framing. What we are witnessing here is a beginning of a fundamental self-critique *within* the Deminform.

Artists engaged in Institutional Critique demanded to establish their own framing, not as autonomous, "sovereign" units but as political beings. "We are all always already serving," are the words of Andrea Fraser,[7] an artist that was part of the "second wave" – the second generation – of artists engaged in Institutional Critique. Fraser in this context speaks of art's "relative autonomy". Exactly because art deals with the historical question of what it means to "represent," it is in the context of Institutional Critique never "just representing," but always reflective of the context in which it positions itself. It is in this "reflexivity" of art, a result of its relative autonomy, that we, as artists, should add to Fraser's question "Whom we are serving" the question "*Whom do we want to be serving?*" In other words: "*within which political project do we desire to situate our practice?*"

What was revolutionary in Institutional Critique was the demand of transparency, partly through self-critique, of the conditions that define the role of the artist in a larger political, economic and ideological specter. But today the *idea* of transparency has become an inherent part of marketing tactics. Despite structural obscurity obviously remaining, governments and corporations have learned to serve the desire for transparency if they want to avoid critique by journalists or activist organizations that might influence consumer habits. But to their great benefit, our age has thought us that transparency in itself does not change behavior. Insight in the conditions of labor and its inherent mechanisms of exploitation might enhance the schizophrenia of citizen-consumer who would actually *like* to stand on the "right side," but that does not necessarily mean that they will sacrifice anything of their privileged status (or their dream of ever acquiring such a privileged status, despite their knowledge of what human sacrifices this demands) for this cause. In other words, critique in demand of transparency means nothing if it is not strengthened by the act of positioning, otherwise it runs the risk – like much of Institutional Critique has – to rather *legitimate* the system by showing it "worthy of our critique" (in other words: suggesting that somehow with "enough critique" it would be capable of reforming itself). Amidst the radicality of the crises we face, this tactic is no longer viable. The task of Institutional Critique would rather be to make visible different ideological camps forming as a result of these crises and

then abandoning its notion of "critique" so to make a choice *to which of these camps we want to belong*. To which of these camps *we want to be of service to*. I believe that this should be a political project in which art is not simply instrumentalized by our Deminforms, but in which, vice versa, *politics in its turn is instrumentalized by art*.

A very similar question is addressed by what may probably best be described as the "international democratization movement," which certainly is not as new as often suggested, although it has *visibly* emerged in the recent years developing its claims in a dialectic movement between a not-so-World Wide Web and the "public" squares of our cities. I believe that this movement's claims in principle formulate the same demand that Institutional Critique has brought forward, but within a broader political context. These consist in a refusal to continue to operate under the conditions of a domain dictated by unknown others (who moreover deny having any "real" power), and a demand to shape and decide upon these conditions themselves.

Through the Spanish Indignados protests and worldwide Occupy Movement, through the Modern Media Initiative (IMMI) and Wikileaks, through the old Green and the new Pirate Parties we can recognize a single demand: the demand to organize ourselves as political beings. This demand directly confronts the monopolies of democratism. It entails the democratization of our politics, the democratization of our economy, the democratization of our ecology, and the democratization of our public domain. It is a demand to explore the principles of an egalitarian society. Such a society is not the same as a society where everyone has the right to everyone's belongings, or a society where there is no such thing as a private sphere or intimacy, but it is a society in which the concept of power, the question *how it is constituted and to whom it belongs* is placed into permanent question.

The demands of the worldwide democratization movement take the shape of public spaces where the meaning of this concept of egalitarian society is explored in varying collectives: through protests, squares, as well as virtual spaces. These are platforms where we do not outsource our vote – in Dutch literally meaning "voice", stem – but where we attempt to shape these ourselves. This concept of democracy as a movement of political beings, not tied to single leaders or dogmas, but through a fidelity to the principles of egalitarianism as a shared emancipatory project, is what I call *Fundamental Democracy*. It is a concept that is irreconcilable with democratism.

This however does not mean that I naively idealize the concrete functioning of the international democratization movement. Having lived on the squares of Occupy Amsterdam with a group of about thirty artists for about three months, I have experienced how protests against a system can turn into its most perverted mirror. Our initiative consisted of a variety of artists, all concerned with the role of art

within the political event. As such, our presence was one exploring an alternative model of the art institution, situated in the camp. What soon was known as the "artist's tent," programmed daily reading groups, hosted action committees and organized lectures and classes for art students. But apart from being an urgent democratic experiment, worth to engage with through the mostly educational initiatives of our temporal group, Occupy was just as well the scenery of corruption by abuse of public donations within the Occupy camp, the deployment of excessive bureaucracy in order to wear out political opponents during so called "general assemblies", of use of violence by so-called voluntary "peace-keepers" who were on night watch, and I speak of nightly deportations from the camp of unwelcome subjects such as psychiatric patients and drug addicts – people who, as philosopher Ernst van de Hemel has rightfully pointed out, were in fact occupying the square *before* the Occupy movement set camp. During those two months I have often said that the only thing that is good about the system that we were opposing, is that no one in the Occupy movement holds a position of power in it.

This does not mean that Occupy has failed. I would call the protest, and many of the phenomena that are part of the international democratization movement, collective social experiments. Occupy, IMMI and Wikileaks, the Green and Pirate Parties: these are not solutions, they are *instruments*. What the international democratization movement represents for me is thus most of all the current will to *start working*. By taking on the task of exploring what fundamental democracy may be through different *social experiments*, we explore what it means to be political beings, however terrifying and disillusioning that sometimes might be. It is in the context of *this project*, that the analysis and thorough self-critique of Institutional Critique becomes of value again, as rather than legitimizing the hand that feeds it first of all contributes to the subverting of power structures that have separated ownership of our world into those with power, and those with none at all. That system is not worthy of our critique any longer: it now needs our subsequent *resistance*.

4. New World Summit

In the past years I have collaborated with other artists, with politicians, political parties, and non-parliamentary political groups in an attempt to answer the question how, from the perspective of an artist's practice, to use the discursive space opened by Institutional Critique in the service of the demands of fundamental democracy, rather than as another legitimating force of democratism. As a result of these collaborations I founded my artistic and political organization New World Summit, which attempts to structurally oppose a series of monopolies that I described as the pillars of democratist politics. It achieves this by dedicating itself to providing "alternative parliaments" hosting organizations that currently find themselves excluded from democracy, for example by means of so-called international designated terrorist lists.

The first three editions of the "New World Summit" present alternative parliaments for political and juridical representatives of organizations currently placed on so-called international terrorist lists. The terrorist lists comprise organizations that are internationally considered to be state threats. In the European Union, a secret committee, the so-called "Clearing House," draws up the EU terrorist list. The Clearing House meets bi-annually, in secret and there are no public proceedings of the way decisions are made for the listing of political organizations. One could rightfully say that even by its own standards, the committee that is in charge of placing organizations 'outside' of democratism is itself organized in a fundamentally undemocratic manner.[8] The consequences for the listed organizations and people who are in contact with them include a block on all bank accounts and an international travel ban.

A core characteristic of the New World Summit is that it is an exploration of the potential of an *international parliament*: it has no fixed geographical location, it represents no nation state, no properties or indefinite claims on the right to speak. On the contrary, it defends the demand of each and every political being to represent his or her political beliefs, if willing to do it in the shared space of the summit.

New World Summit logo

New World Summit – Berlin, an overview of the "alternative parliament" of the New World Summit in the Sophiensaele, Berlin, Artist: Jonas Staal, 2012, photo: Lidia Rossner

The first installment of the New World Summit took place on the 4th and 5th of May 2012 in the Sophiensaele, a theater and political platform in Berlin. Invitations to about one hundred organizations mentioned on international terrorist lists were dispatched. From the respondents we were capable of hosting four political representatives, and three juridical representatives, the lawyers of such organizations. The first day of the summit, entitled "Reflections on the Closed Society," allowed each speaker to hold an uninterrupted lecture on the goal of their organization and the confrontation they experienced with the existence of the international terrorist lists. No intervention from the audience was allowed. The second day, entitled "Proposals for the Open Society," was based on an interrogation by the audience. As such, I defended the function of the "New World Summit" in these two days as a form of "radical diplomacy," by on the one hand proposing an unrestricted, albeit shared, platform to the organizations, but on the other hand by demanding political accountability through the similarly unrestricted interrogation by the audience.

The second installment of the New World Summit took place on December 29, 2012, and focused on the political, economic, ideological, and juridical interests that are invested in upholding the notion of the "terrorist" by hosting the keynote speaker Professor Jose Maria Sison, co-founder of the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA). Both

organizations are currently included on "terrorist" lists as a result of their ongoing armed struggle with what they describe as a "semi-colonial and semi-feudal Philippine government," which is under "US imperialist control" and consists of "comprador bourgeoisie, landlords and bureaucrat capitalists." Several experts representing the different layers of the system that revolves around this notion of "terrorism," separating certain organizations and individuals from society, were asked to respond to Sison. In turn, a lawyer, a public prosecutor, a judge, a politician, and a political theorist spoke, each representing a "layer" that separates a civilian (the audience) from a listed civilian (representatives of the CCP and NPA).

The third installment of the New World Summit was held in India, and was planned in an open air pavilion at the Aspen House in Kochi where it would feature a number of representatives of political organizations "banned" from the political arena by the Indian government, who would present lectures on the histories of their organizations, on their political struggles, and gained results, as well as debate their views with each other and the audience. The Indian context shows that there are profound ties between these organizations and the colonial legacy. The many movements in India that continue to fight for the right to self-determination comprise a wide variety of political orientations, including sectarian movements of Sikhs, Muslims, Baptist-Christians, and Hindus, the political movement of the Maoist Naxalites, and the territorial struggles of the indigenous

New World Summit – Berlin,lecture "The Tuareg People's Right to Self-Determination" by Moussa Ag Assarid, spokesman of the National Liberation Movement of Azawad (MNLA), Artist: Jonas Staal, 2012, photo: Lidia Rossner

peoples of Tripura, Manipur, Assam, and Tamil Nadu. The New World Summit in Kochi was an attempt to make these political struggles, waged across the Indian sub-continent, visible, and an investigation of the relationship between India's history of colonialism and democratization and the organizations currently excluded from the political process.

Only a few weeks after the inauguration of the pavilion, which was built for the summit only, the Fort Kochi Police registered a case against me on January 9, 2013 under the Unlawful Activities (Prevention) Act Section 10 (4). The State Intelligence ordered the removal of panels by the Fort Kochi Police depicting the flags of organizations banned in India, which were organized by color in the pavilion. Through the use of black and greys (they obviously lacked enough black paint) they covered twenty of them, leaving five they were not familiar with, but which are listed nonetheless. Interestingly enough, the authorities had no objection to paint over the flags of organizations that they considered to be unrelated to the state, but did follow the abstract color scheme that lies at the basis of each of the alternative parliaments, as we organize the flags by color, not by geographic placement or ideological orientation. The three sides of the pavilion, ordered one side in red, the other in blue, green and yellow, and the last in black and white formed the basis for the authorities to cover lighter flags in grey, and more darker ones in black. So here abstraction, rather than the overall figurative depiction of the

New World Summit – Berlin, lecture "Women and Democracy: The Kurdish Question and Beyond" by Fadile Yildirim (right) and translator Merel Cicek (left), on behalf of the Kurdish feminist movement based on the theoretical work of Abdullah Öcalan, founder of the Kurdistan Workers Party (PKK), Artist: Jonas Staal, 2012, photo: Lidia Rossner

flags, shows itself the most powerful in changing behavior of the authorities. They will cover the images of the flags, but they will follow the order of colors as decided by the New World Summit when it comes to this *choreography of censorship*. Thus a parallel with Pollock's performance of democratism becomes visible, only that is not the artist that enacts abstraction on behalf of Deminform, but it's the state itself who's monochromatic *depiction of power* appropriates artistic tools. In other words, the *state paints*.

The intention of the New World Summit is to bypass the existing terrorist laws, by (1) making use of legal tools to move through a variety of juridical gray zones and (2) creating new ones by the use of art. In the case of the New World Summit in Kochi, the success of this approach is tested on the highest imaginable level: by prosecuting the New World Summit through exactly the same law that is used to list certain organizations.

The first, crucially important tool in this process is located in the summit's capability to move geographically. Almost all countries today have an international terrorist list, and allies tend to copy organizations from these lists on request. For example, the New People's Army, the armed wing of the Communist Party of the Philippines, is in the Netherlands placed on the list at request of the United States government, not because they were aware of any actual threats themselves. But considering the fact that not all countries are allies and not all geopolitical interests are matching, these lists sometimes do not correspond. Hence an organization such as the People's Mujahedin of Iran, an organization basing itself on an interesting combination of Marxism and Islamism, is considered terrorist in the United States but – after a long juridical fight – no longer in the European Union.

The summit started in Berlin and now continues to travel around the world, in the coming months from India to Belgium (September 2014). Each time it enters into a different juridical and political "zone," thus capable of offering a platform to voices that were impossible to host in previous summits. Theoretically, this way the New World Summit – a parliament in flux – at the end of its travel, will have been able to host all organizations placed today on the international terrorist lists.

The New World Summit thus proposes an injection of knowledge suppressed by democratism, brought back into the public sphere by using the second tool that is key in developing this project: the juridically exceptional position of visual art.

The meaning of art's "relative autonomy" may be best highlighted from the perspective of the law. A simple example. In Germany, one of the flags shown in the New World Summit in Berlin, that of the Kurdistan Workers Party (PKK), may not be shown in public spaces such as the Sophiensaele, the location of the summit. A punishment of six months can be given to anyone who breaks this law. But because the parliament of the summit does not organize the flags of the listed

organizations by geographical location or ideological orientation but based on color it is impossible to consider the showing of the PKK flag to be a "single" offense. I claim the flag to be part of a color scheme, of an abstraction that is created by the organization of all flags together. To take out one flag means to destroy the abstraction that is key to the work as an installation. It would mean one would destroy my artwork. Yet, for the invited organizations the "truth" of their flags does not diminish because they are organized by color. These two realities, artistic and political, exist simultaneously: the flags are abstract, and they are the total opposite of abstraction at the same time. These two realities do not deny each other: they exist as a consequence of one another.

Philosopher Vincent van Gerven Oei rearticulated the concept of art's "relative autonomy" in the context of the New World Summit as art's "relative illegality." It is this constructive "state of exception" within a juridical framework that can become an important political tool for people that have been subjected to that other "state of exception": the one that has placed the organizations "outside" of democratism by help of the international terrorist lists. As such, art's relative illegality may create new forms of public domain, in which new histories may manifest itself – those many histories that have been suppressed from democratism's consciousness through the international terrorist lists. These are the histories according to the resistance.

The true cynic might say that the organizations that spoke during the summit were merely "staged" within an artistic contexts, as some type of political objet trouvé, a curiosity.

I will answer this cynicism with a concrete example from the summit. When one of the speakers at the New World Summit, Luis Jalandoni, who spoke on behalf of the Communist Party of the Philippines and its armed wing, the New People's Army, took the floor and said "I'm Luis Jalandoni, and that's my flag" while pointing to the other side of the room, there was no doubt that for him this space was not political *despite* the presence of art but that it was political *exactly because of art*. The space became a political space not simply because I labeled it as such, but because the speakers together with me demanded it to be so. If anything, these organizations were educating us through the urgency with which they brought politics back to the theater. Not as a mere simulacrum of politics in the negative sense of the word, but as the rightful place to speak of the meaning of the concept of representation: to ask the core questions that have made the theater and the politics each other's ideal birthplace.

News on upcoming editions of the New World Summit, the New World Summit Bureau and the New World Summit Academy for Cultural Activism
http://www.newworldsummit.eu This text is an adapted version of a lecture given at the second part of the 3rd Former West Research Congress at the Utrecht School of the Arts, Utrecht (NL)

1 The Dutch historian Kees Vuyk effectively argues that these policies where, similar to the American involvement with modern art through the CIA (which I will discuss later on this text), just as well motivated by fear of "Communist" sympathies in society. Source: Vuyk, Kees, "The Arts as an Instrument," International Journal of Cultural Policy: Volume 16, Issue 2, 2010

2 In 2006, theater group Orkater and author Arnon Grunberg joined the Dutch troops in Afghanistan. Both are known as critical cultural producers, who would translate their experiences in Afghanistan by showing the ambiguities and paradoxes of war, the discrepancies between the command at home and the war "on the ground." Interestingly enough, it is not despite but exactly because of this criticality that they were tolerated by the military. Through their presence, the artists prove the success of democracy as export product: its transparency and self-criticism go so far that the war is being criticized even at the moment that it is waged. This critique would however never stop it, but on the contrary provides its legitimation. This is how the artist performs its role as a "living statue of liberty."

3 Ellul considers this state of total propaganda the moment when all resistance against the dominance of the Technological Society, which he believes has become the dominant condition of the western world at the end of the second Industrial Revolution, has seized to exist: "Only when very small groups are (..) annihilated, when the individual finds no more defenses, no equilibrium, no resistance exercised by the group to which he belongs, does total action by propaganda become possible." Source: Ellul, Jacques, Propaganda: The Formation of Men's Attitudes (New York: Vintage Books, 1967), p.9)

4 The concept of democratism first appeared in a piece of writing by Vladimir Lenin: "Besides the interests of a broad section of the landlords, Russian bourgeois democratism reflects the interests of the mass of tradesmen and manufacturers, chiefly medium and small, as well as (and this is particularly important) those of the mass of proprietors and petty proprietors among the peasantry" Source: Lenin, Vladimir, "Working-Class and Bourgeois Democracy" in Lenin Collected Works, Volume 8 (Moscow: Foreign Languages Publishing House, 1962), p.72-82

5 Saunders, Frances Stonor, Who Paid the Piper? (London: Granta Books, 1999), p.57

6 Eagleton, Terry, Ideology: An Introduction (London/New York: Verso, 2007), P.xxiii

7 Fraser, Andrea, "How to Provide an Artistic Service: An Introduction" in Museum Highlights: The Writings of Andrea Fraser (Cambridge: MIT Press, 2005), p. 156

8 Source: Adding Hezbollah to the EU Terrorist List – Hearing before the Subcommittee on Europe of the Committee on Foreign Affairs House of Representatives, June 20 2007

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ON ART WORKERS' LABOR CONDITIONS (MOSCOW)[1]

Evgenia Abramova

1. The structure of the project

1.1. Purpose and Objectives

The main purpose of this project is to investigate the working conditions of art workers in Moscow. In Russia, this aspect of contemporary art has largely been ignored, as debates in the field usually focused on either aesthetic considerations or market analysis. This began to change only in 2009-2010, thanks to the efforts of several groups (the so-called "Voronezh group" – Maria Chehonadskih, Arseny Zhilyaev, Elizabeta Bobryashova, Mikhail Lylov, the platform Chto Delat?/ What is to be done?, Vpered the "Forward" Socialist Movement and others). These groups were among the first who began to seriously discuss problems related to artistic labor. They organized the First and Second May Congress for Art Workers together with other activists and artistic groups in Moscow in 2010 and 2011. During these public events, participants argued at length over problems related to precarious employment in the art world. In line with these initiatives, the project "On Art Workers' Labor Conditions," implemented with the support of the website Polit.Ru, was launched in 2009.

Such information has rarely been publicized in the media and was never consolidated in a single resource.[2] At the same time, art workers' problems and urgencies are still intensely discussed in private. The first systematic attempt to bring these voices together was initiated by the May Congress in 2010 in Moscow (in the section "Personal testimonies of art workers").

1.2. Methodology

The methodology of the project was based on qualitative sociological research, namely gathering "oral histories." This strategy had the advantage of selecting case studies instead of using a general model; illustrating labor conditions with biographical details; and varying the questions instead of just repeating those included in a rigid questionnaire. Furthermore, the collected testimonies could be published.
The criteria for selecting the interviewees were the following:
1) the place of residence at the time of the interview was Moscow (the urban space, which those living and working in the city had in common)

2) interviewees were under 35 years old (the standard age-limit denoting a "young art worker" – in this project, the age limit was not intended to define the "view and lifestyle of a generation")
3) having a professional interest in contemporary art (as stated by the interviewees themselves or those who classify their artistic activities within the framework of contemporary art)[3]
4) participation in the programs of various institutions related to contemporary art

Additionally, the interviewees' places of employment had to be different (one interviewee per institution), in order to gather as much information as possible from diverse institutions.[4]

1.4. The necessity of public exposure and its limits

The project "On Art Workers' Labor Conditions" was based on the idea that working conditions in post-Soviet Russia do not only need to be normalized/regulated, but also be exposed publicly, i.e., normalization through exposure. It was also considered necessary to define, collect and publish various cases of non-payment or delay of fees/wages, to document the lack of formal contracts or agreements, long working hours, etc. Based on this evidence, further research can be conducted and art workers' labor conditions may be improved.

However, the necessity to expose these facts also meant that some information had to be withheld for publication such as: names of institutions, organizations, and individuals, along with payment amounts.[5] Time and again, the interviewees and the author of this research had problems with questions "about money": in some cases these were seen as unethical, despite the participants' willingness to openly discuss their working conditions. As a result we could not present all relevant evidences about art workers' conditions.

2. The labor conditions of art workers

2.1. Working and living in Moscow

Art workers admitted that it was easier to find a job in fields related to contemporary art in Moscow, especially when compared to other cities in Russia, where there are few and far between institutions for contemporary art (Chehonadskih), or as opposed to Europe, where there are too many (Yaichnikova, Kravtsova, Mahacheva).[6]
After completing specialized courses in Europe, art workers usually returned to Russia (Moscow), as they found the competition here much lower; they were more likely to make a name for themselves as artists (Makhacheva) and apply their knowledge as critics and curators (Yaichnikova, Kravtsova). Also, it was easier to find a second job in Moscow in order to have enough time and money to participate in the contemporary art scene (Mustafin, Zhilyaev). In other cities in Russia, having a second job while at the same time being involved in contemporary

art is simply not possible, and therefore it seems as though moving to Moscow is a necessity (Chehonadskih, Zhilyaev).

At the same time, the interviewees thought that professional development opportunities are blocked in Moscow, as opposed to cosmopolitan cities, which foster them. On an imaginary map of contemporary art, they positioned Moscow as a periphery or a very local place, where there are constant shortages of almost everything: education, public and private institutions, artists, critics, collectors, funds, employment and housing. Thus, Moscow is also a city that art workers want to leave (at least temporarily) for places with better conditions for contemporary art (Chehonadskih, Kravtsova, Dyakonov, Svetlyakov, Mahacheva, Parshikov, Zhilyaev, Auerbach, Yaichnikova).

It is a challenge for art workers based in Moscow to find a place to live. It becomes necessary for them to rent an apartment: both for those who moved here from other Russian cities (Chehonadskih, Zhilyaev, Mustafin, Maslyaev, Oleynikov), as well as those who grew up in Moscow (Tavasiev, Dyakonov, Parshikov, Kravtsova, Yaichnikova, Zaitseva, Auerbach, Svetlyakov, Mahacheva). For the latter, the necessity of finding an apartment is related to the need to live separately from their parents and have an independent income. Living together with one's parents is considered inappropriate for the art workers' age or simply viewed as something temporary (Auerbach, Yaichnikova).

Housing costs are associated with the constant threat of evictions and random increases in rent, depending on the whims of landlords. These are the most significant expenditures for art workers, which take away more than half of their income. If an art worker loses his/her housing, then he/she has to spend more time and money to find a new place to move into (Chehonadskih, Zhilyaev, Maslyaev). In these cases, art workers move from one acquaintance to another because they do not have enough money to rent their own apartment (Zhilyaev, Chehonadskih).

2.2. The Artistic Profession: From Education to Work

Art workers described their interest in contemporary art as a break from previous educational or professional training. Most of them were educated in the humanities, social sciences or life sciences, did not work in a specialty field, or worked only for a short time after graduation (Parshikov, Zaitseva, Zhilyaev, Mahacheva, Maslyaev). In some cases the "transition" to contemporary art meant not only a rejection of one's prior professional experience or education, but also moving to another city/country and being separated from family and friends (Chehonadskih, Zhilyaev, Oleynikov, Mustafin, Yaichnikova).

Choosing contemporary art as one's main field of specialization means opposing classic and conventional models. A common grievance in the interviews was related to the conservative model of art history, still predominant in Russian universities.

Art workers, who defended their final thesis in contemporary art (the second half of the 20th century to the present), encountered resistance from the academic community (Parshikov, Yaichnikova). Moreover, art workers do not regard the introduction of contemporary art courses in leading Russian Universities (Moscow State University, Russian State University for Humanities, Higher School of Economics) and new educational art institutions in Moscow (The Institute of Contemporary Art, Rodchenko Moscow School of Photography and Multimedia) as a suitable equivalent for "higher education." They call into question the official status of these educational institutions, the professionalism of the instructors, the offerings of the curriculum, the level of critical thinking, as well as the connections of local institutions with foreign establishments for contemporary art and the art market in general.

2.3. Contemporary Art Institutions

Most art workers interviewed here began their careers in the second part of the 1990s or early 2000s in Moscow, when social practices within contemporary art had been already legitimated. Initially, commercial galleries, non-profits, professional publications, new state museums and contemporary art centers and departments, as well as commercial "creative clusters," emerged as democratic spaces that had the potential of establishing new and more open relationships between art and society, in contrast to official cultural institutions.[7] One of the turning points in this joint cultural production could have been to fairly compensate each and every one who is engaged in it, while maintaining horizontal instead of hierarchical relationships, and demanding emancipatory production conditions integral to critical contemporary art praxis in general.

However, as evinced by this project, most of the aforementioned institutions, which gained status and credibility by the 2000s, have established a system of labor practices that can hardly be called democratic. They rarely organize non-commercial or critical projects, or do so very sporadically, and seldom advertise open competitions for grants, fellowships, and residencies. Moreover, these institutions almost never carry out educational or research projects, and poorly regulate contractual relationships with art workers, catering mostly to the commercial interests of various sponsors (Chehonadskih, Maslyaev, Zhilyaev, Zaitseva, Kravtsova, Dyakonov, Parshikov, Yaichnikova, Auerbach, Svetlyakov). In addition, most private, for-profit contemporary art institutions (galleries, professional publications) function as small to medium-size businesses; therefore, they have an unstable income and are constantly challenged by rising costs and small profits (Volf, Chehonadskih, Dyakonov). In turn, state institutions are allotted modest, but dependable on national or regional budgets; nevertheless, they also have to seek out additional sponsors and are faced with difficulties because of excessive bureaucracy (Yaichnikova, Maslyaev, Svetlyakov). Non-commercial, private foundations centered on establishing private collections have better means of production compared to galleries and state institutions (Parshikov, Zaitseva).

As for "creative clusters," they are first and foremost focused on leasing real estate; according to this logic, contemporary art projects should be conducive to the commercial success of the owners (Chehonadskih, Zhilyaev).

The main problems art workers face - when dealing with institutions for contemporary art in Russia - are irregular employment and low salaries/ honorariums for their work. Moreover, there are usually no contracts in place that would ensure the rights and obligations of the parties involved, the terms of remuneration or social benefits. When these institutions do offer a contract, art workers typically do not have any bargaining power to assert their rights; may not be experienced enough to change the conditions of the contract; or simply do not have time for it (all the interviewees).

Artists, who work with galleries and/or participate in other institutions' projects, are perhaps in an even more difficult situation: Their labor (work) is not budgeted as part of the project and is therefore not compensated (Oleynikov), while the infrequent sales generally do not cover costs of production or living expenses (Makhacheva); moreover, given the lack of sales, art works frequently end up in the recycling bin (Zhilyaev, Auerbach).

Because of all these factors, stable, formal interrelationships between art workers and institutions were never established in Moscow. For example, galleries may or may not sign contracts with artists to sell their works (Tavasiev, Auerbach). Or they can pay production fees, organize an exhibition and buy some of the works, but do not sell any art works (Zhilyaev). Or they provide studio space but seize the art works to cover their expenses (Oleynikov). Or they can offer participation in an exhibition but cannot pay production costs (Oleynikov). Few artists can support themselves by selling their works or wining grants or prizes (Tavasiev, Auerbach).

At the same time, there are attempts to foster art workers' autonomy from contemporary art institutions. However, this autonomy is based on resources (free time, finances, management) provided by other institutions, which are not dedicated to contemporary art. In other words, to realize their artistic projects, art workers must find different jobs, as teachers or designers for example (Zhilyaev, Mustafin), or receive financial assistance from their relatives (Oleynikov, Chehonadskih).

2.4. Art and labor

When describing their activities in interviews, art workers drew clear distinction between artistic practices and labor (work). If it were not for this distinction, they would not be able to act as a self-enterpreneurs that is to create their own subjectivity, which is based on blurring of this distinction. Defending the autonomy of art, they do not consider themselves as "workers" per se; that is, those who are subject to external constraints of employer/client relationships and are in control

of they own work power, bear the risks of irregular, unstable employment, and are responsible for their own professional development, as well as health and pension benefits. Art workers either refuse to consider art as just work (Tavasiev) or demand recognition of their artistic practices as a form of work (Zhilyaev, Oleynikov, Mahacheva). Curators also separate different types of artistic activity, such as creating concepts, the selection of artists and works, or writing managerial texts from organizing and producing exhibitions (Parshikov, Yaichnikova, Maslyaev, Svetlyakov). Critics consider that "artistic" texts are different from those written for a sum of money (Kravtsova, Dyakonov).

The emphasis on the boundary between art and labor is indicative of the fact that art workers consider their practices to be based on independent, intellectual, educational and research-oriented interests, as well as driven by self-realization and "naked enthusiasm" (Tavasiev, Chehonadskih, Svetlyakov, Dyakonov, Mahacheva, Zhilyaev). For them, art is not a utilitarian activity or a monetary value and should be protected from subsumption into commercial exchange on market.

However, it is important that art workers themselves meaningfully blur the line between art and labor. If the state and employers/clients do this, and neither recognize art workers' labor, nor guarantee that they will be adequately remunerated, it means that art workers are exploited under neo-liberal conditions (Oleynikov, Zhilyaev, Chehonadskih). If art workers demand the acknowledgement of their creative activity as labor, then they are able to fight against exploitation and to uphold the right to work and be fairly compensated. (Chehonadskih, Oleynikov).

2.5. Social Benefits

Within the field of contemporary art in Russia, art workers are deprived of most social benefits, such as: seniority, vacation time, temporary disability benefits, and pension. This is due to unstable employment, lack of formal contracts, and "black" and "grey" salaries/honorariums. Neither the state nor private organizations are able to provide art workers with long-term social benefits.

This situation is exacerbated by the fact that art workers are generally disinterested in social benefits. They have to constantly search for jobs and are frequently not remunerated for their labor; therefore, the question of social benefits takes a back seat or even becomes irrelevant. Moreover, art workers commonly do not know how to apply for social benefits, or by whom and when these guarantees will be provided for them.

According to the Russian legislation, there are two types of contracts: labor (employment agreement) and commercial contracts. The first one includes several social benefits: seniority, vacation time, temporary disability benefits, and pension. The second one includes only pension.

Any work related or contractual benefits (seniority, leave of absence, temporary disability benefits, pension) are either extraneous to art workers employed on a temporary basis, or unreliable, as agreements with employers are usually verbal. Consequently, long-term social benefits - in practice- seem impossible to ensue due to art workers' unstable employment. (suggestion - Actually, the social benefits of a labor contract are not considered as "social rights" by art workers who are usually employed on a temporary basis. In many cases officially guaranteed benefits are provided only according to negotiations with an employee.) Vacation time has lost its status as the right for leisure and the art worker has to petition the employer for the date and duration of his/her leave (Zaitseva). As for temporary disability benefits, art workers rarely enjoy these; instead, they have to go to private clinics if they do not have health insurance already (Tavasiev, Parshikov). But in general, art workers cannot afford to get sick at all, not only because illness threatens the realization of their projects, but also because they could potentially lose money for not finishing their works.

In the case of commercial contracts, art workers may only rely on pension payments when they reach retirement age (the amounts depend on the size of remunerations and taxes). Still, for art workers pensions do not represent a guarantee and they are mostly associated with the deterioration of living conditions and fear of poverty. Art workers imagine they will not receive pension from the state once they reach retirement age, or if they do, the pension will be so miserable as to make it impossible to live on. Some elderly members of art workers' families are also facing these challenges (Tavasiev, Yaichnikova).

Therefore, the "work - remuneration – tax - pension" logic is not applicable for art workers. Deprived of social benefits, art workers hold mostly pessimistic views of their future: 1) to continue working after retirement age (Oleynikov, Mustafin); 2) dying before reaching retirement; 3) relying on financial support from their children; or 4) moving to a place where living costs are minimal (Mustafin).

3. Conclusion

Since the first interviews (25 April 2010) and until now (30 September 2012), art workers' labor conditions have not improved much. Therefore, it is important to reiterate some general demands made by art workers' in the interviews that were addressed to the general public, as well as to institutions for contemporary art. These demands aim to normalize and formalize working relations between employers/clients and art workers through contracts, which should include mandatory remuneration (advance, payment of their labor and its results) and provide social benefits. This should be an extension of a system of open competitions (grants, residences, prizes). The fulfillment of these basic demands creates opportunities for the implementation of non-commercial, critical projects in contemporary art (Chehonadskih, Zhilyaev, Oleynikov, Kravtsova, Dyakonov, Mahacheva, Auerbach, Yaichnikova, Mustafin, Parshikov).

1 Edited and translated from an original text by Evgenia Abramova published on polit.ru: http://polit.ru/article/2012/09/30/altvorrabotnyki/

2 See Bikbov Alexander. The economics and politics of critical judgment / Neprikosnovennyj Zapas (The Emergency Rations). No5(67). 2009. Steiner Arseny. Young artists / ArtChronika. 01.07.2010. Chehonadskih Maria. Lost in Translation: the precarity in theory and in practice / Hudozhestvenyi Journal (The Moscow Art Journal). No79/80. 2010.

3 In Russia, there was no sociological research (either qualitative or quantitative) conducted on the labor conditions of art workers. This is perhaps due to the small size of the market for contemporary art. In addition, contemporary art is not a priority in state cultural policy (See Vladimir Putin, The construction of justice. Social policy for Russia. / putin2012.ru. 13.02.2012). Because of the rising popularity of "cultural industries" and the development of these industries, there will probably be more sociological researches in this area in the future.

4 The list of art workers who were interviewed within this project (in chronological order): Nikolay Oleynikov, artist; Rostan Tavasiev, artist; Maria Chehonadskih, art critic, curator; Sasha Auerbah, artist; Kirill Svetlyakov, art critic, curator; Arseniy Zhilyaev, artist, curator; Valentin Dyakonov, art critic; Ilya Volf, Chief Operating Officer of art gallery; Maria Kravtsova, art critic; Anna Zaitseva, curator; Taus Mahacheva, artist; Denis Mustafin, artist; Andrey Parshikov, curator, art critic; Alexey Maslyaev, curator; Elena Yaichnikova, curator, art critic.

5 The Legislation on Culture No36 12-1 stipulates that "art workers" are those who create or interpret cultural values according to their own creative activities, as an integral part of their lives; art workers should be recognized as such regardless of whether or not they work under official agreements or they are part of a larger professional association. In addition, national law provides that art workers are also those adhering to the World Copyright Convention, the Berne Convention for the protection of literary and artistic works, and the Rome Convention for the protection of artists, including performers, phonogram producers and broadcasters.

6 In terms of publishing the interviews, the interviewees had editing rights to the final text. The reason why some information was elided or added was not specifically discussed. In only one case, we did not publish the name of an institution so as not to arouse the attention of the authorities.

7 Art workers' names were added in brackets at the end of topics/paragraphs, which were discussed or mentioned in interviews with those particular art workers.

Editing and translation from Russian by Corina L. Apostol and Jasmina Tumbas.

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DICTIONARY

Art Worker and Labor Conditions
Evgenia Abramova

The term "art worker" refers to the relationship between art/creativity and work (with an emphasis on labor/working conditions), defining "art workers" as both the subjects of rights and social-labor relations. The use of this term implies that aesthetic considerations are not of primary concern. In "On Art Workers' Labor Conditions in Moscow" we did not discuss with the interviewees whether they considered themselves "art workers" or not, nor how they understood this term. Two of the interviewees used the term "art worker," but in the sense of not contesting this terminology, rather than identifying with it. Another person who took part in several art projects refused to give an interview, a decision motivated by the fact that he did not consider himself an "art worker."

As for the term "labor (working) conditions," it refers to the different types of employment (unemployment/stable employment), the different types of work (producing texts, objects, performances, events), payment (non-payment/official payment), forms of labor and social relations (the presence of absence of a contract), and social benefits (or lack thereof). Generally, the project was based on the political demand: "Any type of work must be paid!," which was not reflected in all of the interviews, as the main purpose was to provide longer descriptions of art workers' working conditions; for labor practices are deeply immersed in everyday experiences, where the borders between official rules and informality are volatile, depending on numerous factors, ranging from ethical to legal concerns.

Glut
Gregory Sholette

The glut of art and artists is "the normal condition of the art market," Carol Duncan commented in 1983.[1] More than 20 years later a 2005 Rand Corporation study of visual artists in the United States updated her observations, describing an even more unsettling picture of the art world. Its key finding was that although the number of artists had greatly increased in recent decades, the hierarchy among artists, "always evident, appears to have become increasingly stratified, as has their earnings prospects." The report goes on to add that although a few "superstars" at

the top of this economic pyramid "sell their work for hundreds of thousands and occasionally millions of dollars, the vast majority of visual artists often struggle to make a living from the sale of their work and typically earn a substantial portion of their income from non-arts employment." [2] […]

Like the deterritorialized flow of finance capital, all that is solid, and all that is intangibly social, has been reduced to a kind of raw material for market speculation and bio-political asset mining. It is the social order itself, and the very notion of governance, along with a longstanding promise of security and happiness, that has become another kind of modern ruin. Even if the MFA (Master of Fine Arts) is the new MBA (Master of Business Arts), as some neoliberal business theorists intone, mumbling the phrase like some magic formula, what exactly does enterprise culture gain from its seemingly tender embrace of artists and creative labor?

Perhaps, rather than an historic compromise between artistic creativity and the neoliberal economy, what has fixated neoliberalism onto the image of the artist as ideal worker is not so much her imaginative out-of-the-box thinking or restless flexibility as the way the art world as an aggregate economy successfully manages its own excessively surplus labor force, extracting value from a redundant majority of "failed" artists who in turn apparently acquiesce to this disciplinary arrangement. There could be no better formula imaginable for capitalism 2.0 as it moves into the new century. Still, what remains to be seen is how those lost bits and pieces of a ruined society and dreams of collective dissonance might be reanimated through some artistic necromancy by those not yet ready to give in to the disciplinary sirens of enterprise culture.

Gregory Sholette, Glut, originally published in "Glut, Overproduction, Redundancy!," Dark Matter: Art and Politics in the Age of Enterprise culture, Pluto Press, 2010

1 Carol Duncan, "Who Rules the Art World?," in Aesthetics of Power: Essays in Critical Art History, Cambridge University Press, 1983, 172.
2 Kevin F. McCarthy, et al., Rand Report: A portrait of the visual arts: meeting the challenges of a new era, Rand Corp., 2005; http://www.rand.org/pubs/monographs/2005/RAND_MG290.sum.pdf

What is Neoliberalism?
Milena Placentile

French sociologist, Pierre Bourdieu, described neoliberalism as a modern repackaging of ideas elites have always used to exert their supremacy, this time through the distorted co-optation of progressive language, reason, and science to justify the concentration of power in their hands. Presenting itself as both contemporary and self-evident, it contends that the market ought to be free, and any effort to contain it (i.e. assisting people through social programs) is archaic and

backward. Neoliberalism therefore champions a radical, unrestrained capitalism "with no other law than that of maximum profit [...] rationalized [...] by the introduction of modern forms of domination such as 'business administration' and techniques of manipulation such as market research and advertising"[1]. It furthermore seeks to undermine rights won by workers after decades of social struggle. Proponents of neoliberalism try to convince us that their worldview champions 'liberated trade' capable of freeing us from antiquated regulations and ushering in a new era of abundance. None of this is true.

Neoliberalism is therefore a movement founded by elites *for* elites as a way of reversing the modest expansion of human rights and economic justice achieved since World War II. It is from a sense of superiority and entitlement that it aggressively seeks to harm others through strategies that amount to nothing less than class warfare. With a sense of urgency, Bourdieu notes that neoliberal misinformation must be "fought with intellectual and cultural weapons"[2]. Some understand Bourdieu's statement as an appeal to academics; however, it may also be read as a call for each of us, from whatever our point of experience or frame of reference, to embrace our collective capacity to harness arts and culture-inspired critical thinking as a way to reject capitalism as the singular vision through which to enact our lives.

1 Sapiro, Gisele, and Pierre Bourdieu. Sociology Is a Martial Art. New York: The New Press, 2010. 112.
2 Ibid., 128.

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Milena Placentile (see pages 13)
Evgenia Abramova (see page 36)

SO YOU THINK YOU'RE POLITICAL?!

Seven notes on the harmlessness of art

Veda Popovici

#1 "...what you are doing is a symbolical gesture and it remains in the repertoire of a happening"[1],
said the rector of the University of Bucharest to a heterogeneous group of people that had organized the occupation of the History Department in November 2011. During the rector's visit, he was especially keen on convincing the occupiers that what they were doing was merely a happening - referring to the specific art historical term related to performance art- that it could not be more than a symbolical gesture, or in other words, that was only *art*. It seemed that contemporary art provided the rector with a concept that could (in his view) efficiently discourage the occupiers and eventually make the whole action fail.

The rector's words stayed with me for a long time, making me wonder: how come this figure of authority thought that art was precisely the best way to neutralize the disturbing potential of this political gesture? It was clear that, for him at least, legitimate art needs to be a separate realm from politics, and that art has no potential to change the configuration of power. But even more importantly, it emphasized a key function of contemporary art: its ability to provide authority with tools (concepts and images) to neutralize and domesticate political acts. In the specific context of the Bucharest occupation, it made me think that if one of the most powerful people in the educational system at that time used this idea in his attempt to stop a radical protest, then clearly this function of art has become essential to the present-day configuration of art and politics. Several events in the following year brought me back to this idea.

#2 Art and legality
Article 3 of law 60/1991 concerning public gatherings in the Romanian legislation states that "any public manifestation of artistic, religious or sportive character does not need any authorization to be performed." So art, religion and sports enjoy first-hand the status of "freedom of expression". Other gatherings, political in nature, must be announced (according to the Romanian Constitution) and officially authorized (according to law 60/1991), thus only having a second-hand "freedom

of expression" status. Of course, the illusion of "freedom of expression" elides a clear dichotomy made by the authorities in the allowance of the harmful potential: art, religion and sports supposedly have no politically disturbing character.

Article 3 became very popular among activists in 2011 and 2012 in Romania, as they realized that it could be a way to organize a political action without: a) being banned and fined in the absence of media coverage, which usually happened with many illegal actions that often got leaked to the police; or b) getting through the bureaucratic, abusive procedure of getting authorization for their political actions. As long as they declared that their actions had artistic connotations, they would be legally, and at least temporarily, covered. This shortcuts all the risks that getting an authorization entailed: submissive confrontation with authority, revealing the protester's intentions, changing the date and location of an action and the risk of failure because of not getting approval. In legal terms, all of this could be avoided provided that protesters would be familiar with contemporary art practices such as happenings, performance, re-enactments. These activists continued to apply these tactics not so much out of love for legality, but out of the need to actually organize public actions and to have visibility for their contestatory discourses. This practice spread widely amongst protesters, configuring direct actions as artistic interventions. Using the so-called harmless status of art given by the authorities to carry out political interventions gained much popularity and certain strategies like the flash-mob became prominent.

A thin-ice, typical of current subversive practices, emerged. At once, this new tendency seemed both efficient and a failure. On the one hand, the protesters were strategically using art's harmless status to perform radical political discourses. The status of an art piece was necessarily temporary and strategic: art had to merely be a means for the actualization of a strong political message in public space. On the other hand, the codification of political messages in art's harmless clothes often neutralized the message itself, placing it in the ambiguous realm of art's "anything goes." To reiterate art as the only legal framework of performing real political freedom gives the measure of that freedom: in legal terms, it is only possible as art. Playing out this situation can end up disturbing or confirming authority. It may reiterate spectacle (the fake setting of freedom in contemporary liberal-democratic contexts) or contest it because of art's designated function to conveniently dwell between "it's just art" or "it is radical politics through art". The questions to be asked become: for whom is it convenient? And who is tricking whom?

#3 On "creativity and imagination"

Coming from a similar activist background like the initiatives described above is an activist educational project based in Bucharest begun in 2012. Entitled "the school of activism," the project debuted under the name CRIM, an acronym for creativity and imagination. As stated by the organizers, CRIM's main focus is to educate young people in what regards the importance of civic political involvement within

one year. The methods they used include debates, screenings, games, contemporary art shows and flash-mobs[2]. A series of events that took place in June boasted[3] workshops on creating banners, making stencils, shouting slogans and a happening. The civic involvement thus translated into the appropriation of methods that could be labeled as civic disobedience, or as simply the right to protest.

Although CRIM also refers to the connection between art and direct action, it does not push the limits of both what is understood as (performance) art and direct action. Instead, it uses precisely the neutralizing concepts of art, as defined by the authorities: creativity, free expression, fun, in other words the hallow language of multiculturalism. But most importantly, it stresses the importance of *the how* instead of *the what*: it seeks to create a methodology of being creative while being rebellious, without any clear reference as to what one was supposed to be rebellious against. This deep political ambiguity is perfectly enacted in the vocabulary of the "creative class" and its realm of trendy lifestyles.

#4 Bucharest, January 2012 and after

In January 2012, spontaneous anti-governmental mass protests broke out in University Square in Bucharest. Backed up by well organized ultra-groups, the protests included students, revolutionary veterans, civil activists and other social groups. The heterogenous masses that made up the revolts carried various messages that generally affirmed dignity through radical anti-governamental, anti-austerity and anti-Troika[4] slogans, placards and manifestos. Although not numerous (the maximum reached more or less five thousand people), the protests were long-lasting (around two months) and generally seen as an expression of genuine revolt and voicing of various social groups, gaining significant symbolic capital in the year to come. Interestingly enough, here too, just like at the occupation of the History Department a couple of months earlier, were voices that pushed the mass manifestation in the realm of "this is only art".

One evening during one such mass protest, a playful message was published on the contemporary art mailing lists: an art gallerist together with an art critic were inviting the art scene to join a mass art performance.[5] It is unclear whether the message was expressing some type of solidarity calling the people of the art scene to join the protests, or if it was a cynical reflection on the ultimate harmlessness of the protest by comparing it with an art piece. The latter interpretation seemed to gain more validity when another Bucharest art critic made a similar call.

The protests were already lower in intensity but still going on when a review of a recent art show was published.[6] The review seemed a mere pretext for discrediting the anti-governmental protests that went on in University Square. The critic defined the protests as mere "lifestyle performances". From the comfortable "objective perspective" of this enlightened intellectual, the subjectivity that was emerging in the square was already that of the spectacle, a "zoon aesthetikon". What is mostly

interesting here is how this critic denied the true violence and risk of the bodies performing politics and neutralized any potential of these protests by integrating them to an artwork.

The joyous, laid-back irony of all these reactions is the cynical tone of authority discrediting its challengers. While gallerists and art critics were ironically mollifying the protests by assimilating them into art, mass-media representation was already undertaking its mission of gradually and steadily turning the protests into a mass spectacle.[7] One can see both tendencies originating from the same locus of consolidating authority and subordination mechanisms and using a very similar logic of neutralization: art's harmless status to turn a political action into mere spectacle. The spectacle of mass protest, an increasingly popular practice of discreditation in the media functions as a domesticating tool of the political, and it is being appropriated through various embodiments of authority and capital, and not just the mass-media.

The Debordian critique of the spectacle gives warning about the spectacle's need to continuously incorporate, appropriate and co-opt social elements, especially those with politically disturbing potential.[8]

#5 Art and Spectacle

If the spectacle is a social relationship between people mediated by images[9] and art is a historical stage of culture in which representation is instituted as way of knowledge, the relation between art and spectacle lays in their common need of representation. Following Debord's theory, two conflicting tendencies can be discerned in art: one that confirms the institution of the spectacle by staging communication and community; and one that points to the impossibility of communication and community in the contemporary configuration of capitalism.[10] Art must end itself so as to fulfill self-criticism and acknowledge that it is unable to render real communication and community. Art must end before it turns into spectacle that is, "the rigid institution of appearance as truth"[11]. Thus, although it can produce spectacle by reinforcing representation as hegemonic reality, art is fundamentally distinct from it: it can make evident the impossibility of dialogue and the staged nature of certain images, their artificial character. By emphasizing the artificial character of representation, art creates space for the desire of real communication and it can provide a social context to develop practices towards real community.

The art system, and thus the institutionalized social conditions of art, have however, went through important changes since the period of the 1960s when *The Society of Spectacle* was written. Reconfigurations of art's social and economical functions include: the urban process of gentrification, the emergence of Richard Florida's *creative class*, or even more recently, as a result of the so-called financial crisis, the acknowledgment of art as an ultimate commodity alongside gold. These

changes confirm and even surpass the Debordian vision of the importance of art in advanced capitalism. The crucial role art now plays in the contemporary configuration of the global capital can be seen as one of the privileged fields of negotiation between agents of authority and agents of subversive change. On this field of negotiation the sole importance of art is not at stake, but its legitimizing/de-legitimizing potential, in other words what we would call its harmlessness vs. its harmfulness.

#6 the harm-full/-less

The tension between the harmlessness and the harmfulness of art can be translated as the need of authority to institute art as being a fundamentally autonomous, separated field from politics, and thus unable to challenge it in a meaningful way, and the tendency of contestatory politics that propose art as an accessible, socially flexible field from which authority can be efficiently undermined. It is precisely this tension that was very visible in such projects as the Berlin Biennale 7[12] and later in the *Truth is Concrete* camp at Graz, Austria in September 2012.

The two-week marathon camp *Truth is Concrete* sought to bring together artists and activists from around the globe to share practices on the limits of art and activism and simultaneously gain visibility in a Western-based art system and audience. This was not the sole ambition of the marathon. It needed also to be a "machine", an object of performative nature producing its own, new performative events.

Truth is Concrete obviously refers[13] to the Debordian tension between art's force of revealing the staging of the truth (that is the spectacle) and its tendency to institute representation as ultimate communication, thus making way for the hegemony of the spectacle. So, going beyond the "contemporary artivism" trend, the project was intended to bring into (Western) visibility practices and methodologies from around the world that efficiently combine, super-impose or extend the limits of art and activism. Although not clearly visible from the start, the project's most important faulty points are already subsumed in these descriptive phrases. I will elaborate on three of them:

1) the Western frame of visibility, although at first glance legitimate, shortly revealed itself as a power mechanism that marginalized non-Western discourses and privileged the Western ones, as being the most refined (or advanced) methodologies and concepts. From the privileged time-frames given to superstar panelists, to the most popular protesters' methods that were developed and could mostly be applied in a Western context, this situation became prevalent quite soon, silencing by omission non-Western experiences shared by a big crowd attending the camp.

2) the ambiguity of the political frame put together groups or individuals so far apart that exchange was excluded, thus delegitimizing dialogue as premise for the whole event. The necessity of parrhesia as theorized by Gerald Raunig[14] (also present at the event), the delivery of truth or the uncompromising affirmation

of radical ideas as opposed to ambiguity was elided. Mixing various, at times incompatible political positions resulted in enacting ambiguity and relativity. 3) the staging of radical political practice consisted in appropriating from autonomist and anarchist strategies (ex.: camp mode, shared responsibilities, open platform for expression). This staging culminated in the organization of a direct action in the city of Graz (see photo 1). The action in itself is interesting because it shows a direct consequence of subsuming radical political practices into art. The spectacular action filled with choreography, march, noise, performance, stenciling and vandalism ended up entertaining the locals and posed no real threat to the political status quo (see photo 2).

#6 Art and legality (2)

From a legal point of view, there is an important distinction between radical politics/direct action and art. In the contemporary Western legal systems, art is seen as a fundamental right. There is therefore a tendency to tolerate, legalize and defend something that is considered art. Enacted radical politics are always directed towards forms of governmentality, and the most cohesive expression of this governmentality is the law. Take the form of revolution as the privileged form of enacted radical politics: it is fundamentally illegal. It is this definite distinction between the tendency of legalizing art and illegalizing radical politics that is at the core of the configuration of the harmlessness of art. A position of authority will try, just as the rector in Bucharest, to show that a certain action is merely art, already legal, already part of "democracy".

Thus, the importance of a particular moment in any action emerges: the moment in which it stops being art and becomes politics. From the subversive position, this moment is necessary as, for the position of authority the inverse moment is as necessary: the moment in which politics becomes art. In other words, art can be used to push the limits of legality, to test the borders of the state's governmentality. However, given that this governmentality is intricately linked with global capital, it cannot but address it in terms of censorship and control through financing. In the partial framework of the law, art offers the possibility of using a citizen's participation in legality and in the legitimating authority this endorses as tactical method for enacting a radical discourse. However, it is its legalizable status that can be used to tame or domesticate a political act.

#7 Us, the harmless

Back in University Square in Bucharest, on the 1st December 2012, the Romania's national day, an action was performed by a group of 10, including myself. *The Other Flags* action was part of the project *The Other Us*.[15] Organized as a workshop for reimagining identity, *The Other Us* concentrated on developing a critical stance on nationalism, national identity and investigating the revolutionary potential of identity politics, particularly from a feminist and decolonial perspective. Part of the workshop was a process of producing flags (old or new) to be worn in a public

protest on the 1st of December, breaking the monopoly of the national flag and reclaiming political presence for *the Other,* whomever this may be. To investigate the dynamics of legality, we attempted to obtain an authorization for the event.

Although, as stated above, artistic manifestations don't need authorizations, I sought to negotiate it for the sake of investigating further on the harmless status of art in the eyes of authority. The hearing went pretty badly: art, artists were not very interesting for the Public Gatherings Commission until it was clear that the protest would consist of non-national flags waved around in public space. It seemed that a limit of the harmless was reached with the symbols of the nation. The manifestation was described as anti-Romanian and I myself was repeatedly warned on the criminal danger of bringing offense to the national flag.[16]

In terms of the subject of the workshop, this only confirmed the urgency of deconstructing national subjectivity and rethinking identity politics. It also showed an awareness of authority for the effective use of art's harmlessness to political ends, and thus an awareness of art's potential harmfulness. However, as showed in the video, the action was performed freely and without any interference from the authorities. The political message went through in public space, however it did not present any threat to *authorities*. This may very well mean that it was *harmless*. If we think of the harmlessness of art as a political tool to neutralize any subversive

The Other Flags action, 1st December 2012 (National Day of Romania), Bucharest.

potential to existing power structures, what lays beyond this? It may very well be that the powerful ones need to institute a definite status of art's harmlessness that confirms art's harmfulness. Thus, investigating exactly what images and concepts authority uses to institute the formal harmlessness of art may shed some light on the blind spots of the same authority. It seems that one of the most important of these is art's ability to turn a political action into a spectacle, it's mere artificial staging, breaking the urgency, actuality and reality of the message.

On the negotiation field of art's harmlessness, tactical identifications can be efficient. By tactically – that is temporarily – using art's harmless status, agents of radical politics can access social spaces that, otherwise, do not welcome them: public squares, sidewalks, museums, etc. However, there must necessarily be a moment where a certain action stops being art and is proclaimed politics. We must keep in mind that what enables this negotiating field is the flexibility of defining both art and politics, and it is this flexibility that should be used to push the limits and definitions of not only art and politics but most importantly the state, law, citizenship, and above all to question capitalism.

Photo 1: Reverend Billy in front of the Camera Austria in Graz, 2012.

Photo 2: Begging is illegal in Graz, though when it is enacted like a casual, funny performance it raises smiles, 2012.

1 The fragment belongs to Ioan Panzaru, then rector of the University of Bucharest. The whole speech can be listened as part of my work "The harmless", available at: https://soundcloud.com/veda-popovici-1/inofensivii (in Romanian)
2 The main organizer of the CRIM project is the civic organization Militia Spirituală (Spiritual Militia), concentrated on civil disobedience non-violent direct actions and the financing source is the Trust for Civil Society in Central and Eastern Europe. See resources on the project on the site of Militia Spirituala: http://www.militiaspirituala.ro (in Romanian).
3 See description of this series of events here: http://www.doitreisi.ro/2012/06/crim-puterea-sta-in imagina%C8%9Bie/ (in Romanian).
4 The Troika refers to the three organizations which have the most power within the European Union. The three groups are the European Commission (EC), the International Monetary Fund (IMF), and the European Central Bank (ECB).
5 The gallerist is Dan Popescu, owner of H'art gallery and the art critic is Oana Tănase, then working as a curator for the National Museum of Contemporary Art in Bucharest. The entire message read: "H'art gallery and Oana Tănase invite you to a remarkable event: the collective character from the University Square will produce at an hour of maximum audience a complete performance. It is an interactive performance in which you can freely express yourself through all artistic techniques and methods – drawing, collage, photography, music, screaming, smiling, balloons, kissing. The only forbidden artistic mediums are stones. One can swear of mother. And of father."
6 The author, Erwin Kessler, philosopher, art historian and critic is a popular figure on the local Romanian art scene, a fervent supporter of the neo-orthodox direction in post-89 contemporary Romanian art. The articled referred to is "O promiscuitate ideologică, gramaticală şi retorică" (An ideological, grammatical and rhetorical promiscuity) published on 24.01.2012, available at http://www.revista22.ro/o-promiscuitate-ideologica-gramaticala-si-retorica13059.html (in Romanian). The works he mentions as being "the true manifestos of the movement that started on the 1th of January in the University Square" are the "Four Manifestos of the Harmless Nature" available also in English at http://veda-popovici.blogspot.ro/2012/01/harmless-nature-manifestos-1.html and http://veda-popovici.blogspot.ro/2012/01/harmelss-nature-manifestos-2.html.
7 I have elaborated more on this process in "The Carnival, the Spectacle and the Non-event", in Bezna zine, available at http://archive.org/download/Bezna2apocalypseProtestsMarch2012/Bezna2.pdf
8 Guy Debord, Society of Spectacle, originally published in French, 1967. For all the following notes I used the translated version by Donald Nicholson Smith, Zone Books, 1994.
9 Ibid., thesis 4.
10 Ibid., thesis 184-185.
11 Ibid., thesis 186-188, 190.
12 The Berlin Biennale 7 marks a relevant moment of the intricate relation between art and politics. Along with some participants of the Indignados movement, Occupiers from around the world were called to enact their practices in the context of the biennale. What turned out to be later commonly referred to as "the zoo" was the caged position this group had in the KW Institute for Contemporary Art and the taming process that Occupy practices were put through. It very much looked like something that the rector of the University of Bucharest would love to see: politics framed as art, and thus neutralized, made harmless. The Biennale employed an overidentification method to show the future of the Occupy movement: that of becoming a spectacle itself. By playing out (one of) its most immediate danger(s), the frame of the Biennale brought a thorough critique of the movement and

provoked it to transform itself. In the end, "the zoo" offered some insight of the extent to which art is either harmful or harmless and how this configuration can be used towards either emancipatory or domesticating ends.

13 The organizers cite a dense genealogy of the phrase passing through Bertolt Brecht, Walter Benjamin, Lenin, Hegel, Augustine. For the statement, program and other resources see: http://www.truthisconcrete.org/

14 Gerald Raunig, "Instituent Practices Fleeing, Instituting, Transforming", translated by Aileen Derieg, 2006, available at http://eipcp.net/transversal/0106/raunig/en/#_ftnref17

15 More resources including a video documentation of the "Other Flags" action can be found here: http://veda-popovici.blogspot.ro/2013/01/other-us--ceilalti-noi.html

16 According to chapter 4, article 20 from the law 75/1994 in the Penal Code, "citizens have the duty to pay respect towards the national flag and the national hymn and to not do anything that would offend them".

Veda Popovici works as an artist, theoretician and activist mostly in a dilettante manner. Her interests include collective representations in art, possibilities of creating the common, colonial histories and contemporary power relations in the art system. Currently, she is a Phd. Candidate at the University of Arts in Bucharest with a research on nationalism in Romanian art of the '70s and '80s. She lives and works in Bucharest.

POINTS OF PAIN

Mykola Ridnyi

The social and political context in Ukraine has changed significantly over the past few years. While the symptoms of repressive actions by the authorities and the move towards a totalitarian state are not evolving as rapidly here as in Belarus and Russia, there are still plenty of reasons to worry. In order to strengthen their conservatism, the authorities have established a "National Commission on Public Morality" and increased the influence of the Orthodox Church in society, all the while the largest nationalist party, supported and controlled by the radical right, won seats in parliament. These social and political trends are directly connected with the artistic and activist milieus, forming a network of so-called "points of pain" and conflicts with the authorities and the orthodox and far-right activists.

In 2003, the "National Expert Commission for Protecting Public Morality"[1] was established, which began to be extremely active in 2008, when it was run by Vasyl Kostitsky. Incidentally, the decision to establish this commission was taken by the cabinet ministers of Yulia Timoshenko, who, due to changing political winds, often appears in the media as a victim of the new regime. Under new laws, the violations of public morals can place the offender in civil, administrative, and even criminal liability. One of the initiatives of the commission was to subject all websites to state-registration. Therefore, even Internet content is closely scrutinized by the officials.

Anatoly Ulyanov, the editor of the contemporary art news portal proza.com.ua, actively opposed the Commission and spoke publicly against it. This seriously aggravated not only the official representatives but also the sympathizers of the political institutions that protect religious radicals in "The Brotherhood" (Bratstvo) party. On March 13th 2009, Ulyanov was attacked by one of the party's activists.[2] Soon afterwards, the Commission closed the proza.com.ua portal and Ulyanov decided to emigrate. On November 2nd 2009, the activist and blogger Olexandr Volodarsky accused the Commission of censorship and exposed their efforts to restrict freedom of expression.[3] He made a performance in front of the parliament during which he and his partner simulated sexual intercourse, while a third participant gave a speech about the relativity of moral standards and the impossibility of a direct interpretation of the concept of morality. After the end

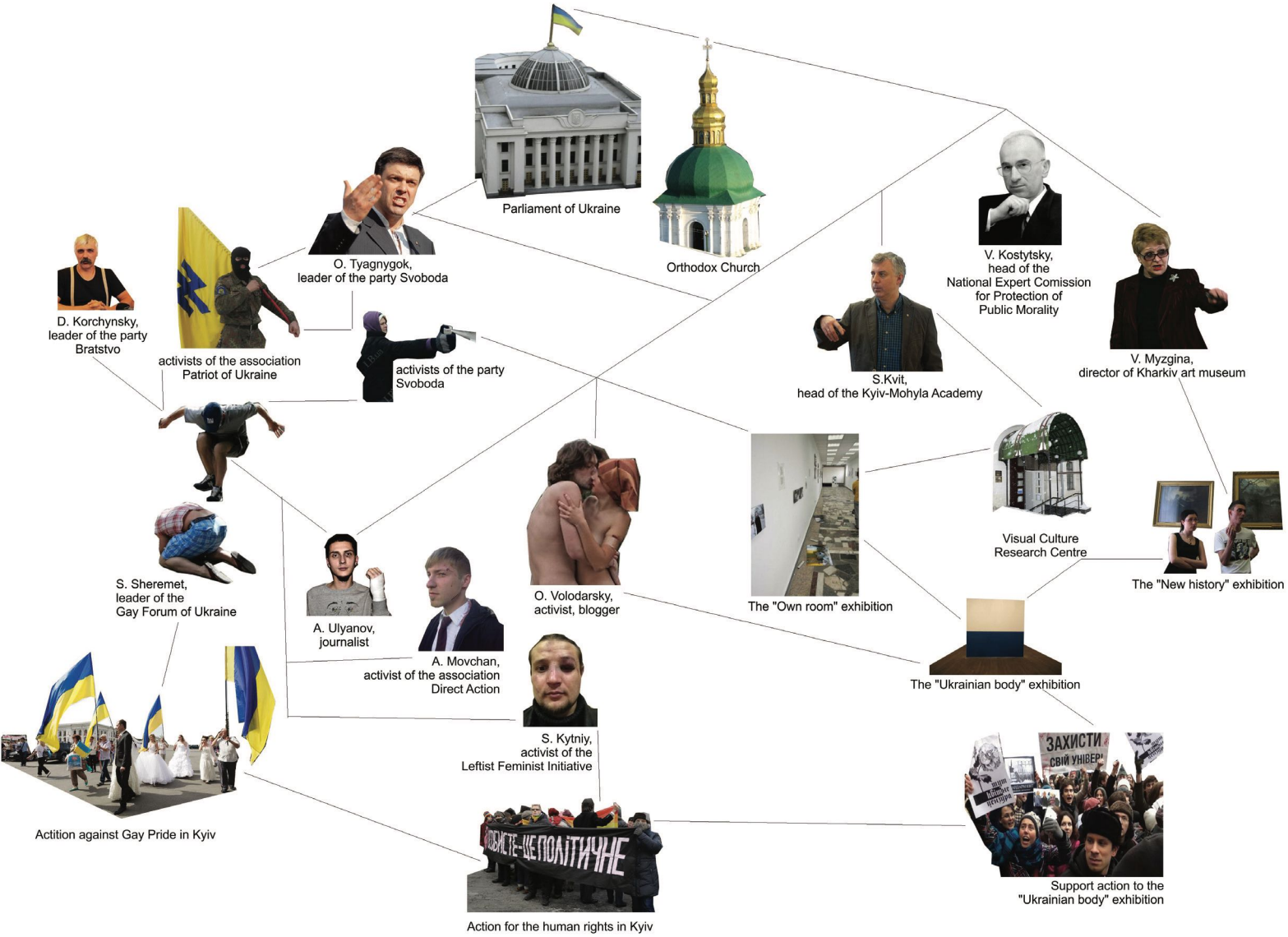
of the performance, Volodarsky was arrested and charged with "hooliganism by a group of people." Although Volodarsky's action was supported by numerous activists and the media, he was convicted on September 9th 2010 and sent to a colony in the Kotsybinske settlement in the Kyiv region for more than a year.[4] Similar cases of censorship and repression have not always been the Commission's doing, but they have been perpetrated by like-minded cultural representatives.

For example, in May 2009, the director of the Kharkov Art Museum, Valentyna Myzgina, decided to close "The New History"[5], an exhibition curated by the SOSka group. The project was conceived as an intervention of contemporary art in the traditional museum exhibition space, with the goal of creating a dialogue between different artistic traditions, while avoiding casting classical art against contemporary art. Myzgina's decision was not based on any order "from the top," but rather represented a local act of censorship in the context of the national "moral" environment. In response, the artistic community expressed overwhelming support for the project, which was documented in the catalogue of the exhibition.

The biggest scandal was the closure of the exhibition "Ukrainian Body"[6] at the Visual Culture Research Center (VCRC) in February 2012. The exhibition offered a view of Ukrainian society as a material, cultural, ideological, and aesthetic environment through the corporal experiences of the human bodies forming this society. Serhiy Kvit, the director of the Kiev-Mohyla Academy, where the VCRC was located, decided to close off the exhibition to visitors three days after it opened, explaining his decision with the remark "It's not an exhibition, it's shit." The subsequent waves of protests and media coverage to the odious gesture worsened the conflict; in the end, the artists and activists were expelled from the Academy's premises and the VCRC was closed. The context behind this case is that right-wing political views are very popular at these types of institutions. Even some of the professors share these political positions, especially the director Kvit, who is an active supporter of the nationalist party "Freedom" (Svoboda).[7] As a leftist organization inside this Academy, the VCRC was constantly under attack.

Nevertheless, after this conflict, the VCRC activists managed to re-open the center in a new space – the cinema "Zhovten." But right-wing activists also attacked the first exhibition in this space, "A room of my own," which was organized by Evgenia Belorusets and presented research on Ukrainian queer families. As a result of the attack, the majority of the artists' photographs were destroyed; the guard was also physically assaulted.[8]

A few months after this, representatives of the LGBT community declared they would cancel the Gay-Pride parade in Kiev, fearing violence and harassment from the extreme-right. Despite this, two leaders of the initiative "Ukrainian Gay Forum," Svyatoslav Sheremet and Maksym Kayanchuk, were severely assaulted by a dozen attackers.[9] On the same day, there was a counter-action in support of



traditional family values in the city. Moreover, members of the leftist movement, such as Serhiy Kutniy from the Left Feminist Initiative and Andriy Movchan[10] from the Student Union "Direct Action," were also attacked. Incidentally, one of these assaults took place on the anniversary of Hitler's birthday, April 20th 2012.

During the 2012 parliamentary elections in Ukraine, the "Freedom" party won about 12% of the votes. Under the guise of "official" political lobbying, these nationalists are actually legitimated to continue in their violence, homophobia and outright fascism. A good example of this was the action in defense of human rights, which took place in Kiev on December 12th 2012,[11] where "Freedom"

party activists organized a provocation. As a result, the police detained several participants in the action for human rights whereas the party activists were released. Given the authorities' aforementioned conservative-repressive stance, the actions of the nationalists, who position themselves as "the opposition," are in fact collaborationist. Thus, right-wing radicals actually save time for militia, which by now doesn't intervene in conflict situations with dissenters. Currently, the right wing nationalist niche appears more and more comfortable and prominent in the context of increasing repression and control by the authorities, especially given the alliance of Church and State in the reactionary struggle for "true" values, which we are all expected to follow vigilantly.

1 More information about the National Expert Commission for Protecting Public Morality (in Ukrainian): http://www.moral.gov.ua
2 Art-critic Anatoly Ulyanov and the Bratstvo fighters, 2009, published in "Forbidden Art" (in Russian): http://artprotest.org/index.php?option=com_content&view=article&id=1178&chtoto=2009-qq-&catid=13&2011-03-10-05-43-54&ordering2=4).
3 More information on the Volodarsky affair on his personal blog: http://free.shiitman.net
4 "Olexandr Volodarsky sent to a penal colony," 2011, published on "Openspace.ru": http://os.colta.ru/news/details/20807/?attempt=1
5 See "Instead of an Excursion," video by SOSka Group, 2010: http://www.youtube.com/watch?v=wI4LpmvlGp0
6 See "Statement of the Visual Culture Research Center, National University of Kyiv-Mohyla Academy (Kyiv, Ukraine)" published in ArtLeaks: http://art-leaks.org/2012/02/11/statement-of-the-visual-culture-research-center-national-university-of-kyiv-mohyla-academy-kyiv-ukraine
7 More information about Svaboda (in Ukrainian): http://www.svoboda.org.ua/
8 Anna Tsyba, "The attack on Evgenia Belorusets' exhibition 'A room of my own' or homophobia without limits," 2012, published in ART Ukraine (in Russian): http://www.artukraine.com.ua/articles/949.html
9 Alexandra Lopata, "A peaceful LGBT march in Kiev was disrupted and the organizers were severely beaten," 2012, published in Kiev Pride 2012 (in Ukrainian): http://lgbtua.com/pride/news/news_111.html
10 In the center of Kiev, a journalist was beaten by six assailants, 2012, published in Censor.Net.Ua (in Russian): http://censor.net.ua/photo_news/203839/v_tsentre_kieva_shestero_neizvestnyh_izbili_jurnalista_fotoreportaj
11 Activists protesting the law banning "homosexual propaganda" were arrested in Kiev, 2012, published in Ukrainskaya Pravda (in Russian): http://www.pravda.com.ua/rusnews/2012/12/8/6979030

Mykola Ridnyi is an artist and curator based in Kharkov, Ukraine. He took part in Boris Mikhailov's workshops (2005) and graduated from the Sculpture Department of the Kharkov State Academy of Design and Arts (2008). He is the founder and curator of the gallery-laboratory SOSka in Kharkov since 2005. He curated the projects: "Numbers (SOSka group and Porgram Class), Center of Actual Art Eidos, Kiev, Ukraine in 2009; "Generation" (Program of workshops by R.E.P. group, SOSka group, David Ter-Oganyan and Aleksandra Galkina), City Art Gallery, Kharkov, Ukraine in 2008. Ridnyi's work has been exhibited in Europe, Russia and the US.

BEYOND REFLECTION: RADICAL PEDAGOGY AND THE ETHICS OF ART SPONSORSHIP

Amber Hickey

In Fall of 2008, I was asked to co-organize a workshop with the Tate Modern Department of Public Programmes. It wasn't a freelance job, contract, or internship. I was simply called a "collaborator," a role that turned out to be useful, given that I had no formal ties to the institution. Almost a year and a half later, the two day workshop, entitled Disobedience Makes History, finally happened. Our attempt at radical mediation resulted in an ongoing series of creative, collaborative actions, critiquing the Tate's acceptance of sponsorship from BP, and helping to open up public debate across the United Kingdom and elsewhere about the ethics of art sponsorship.

During the initial planning stages of the workshop, I invited John Jordan, a friend and art-activist, to facilitate the workshop. He reluctantly agreed to do so, although he acknowledged feeling "institutionalized" by the idea.[1] The two curators at the Tate Modern with whom we were planning the workshop seemed to be some of the most radical curators at the institution. However, as the days of the workshop came closer, one of the curators sent an email to Jordan and me stating, "Ultimately, it is also important to be aware that we cannot host any activism directed against Tate and its sponsors, however we very much welcome and encourage a debate and reflection on the relationship between art and activism."

Soon after, Jordan called me. Due to the curator's blatant attempt at political censorship, he wanted to disregard the request and make a point to critique the Tate's longtime sponsor, BP, during the workshop. He asked me if I agreed, not wanting to jeopardize my position with the Tate. My concern was not with my relationship with the Tate; I was hoping this workshop would result in something beyond reflection, so of course I agreed with him. In the past, I had been involved in many workshops that hinted at the potential for provocation and change, but merely offered a taste of what could be. The possibilities that could arise from a more direct approach proved more exciting than any workshop plan.

At the time the email was sent, the BP oil spill in the gulf of Mexico had not yet occurred. Therefore, the curator's attempt at censorship was testimony of the Tate's prior awareness that their twenty-year practice of accepting sponsorship from BP contradicts their ethical policy. The policy clearly states that "The Tate will not accept funds in circumstances when . . . the donor has acted, or is believed to have acted, illegally in the acquisition of funds, for example when funds are tainted through being the proceeds of criminal conduct . . ." Their organizational priorities, which include a goal to demonstrate "leadership in response to climate change," are also in conflict with their sponsorship choices:[2]

"BP is one of the world's largest single corporate emitters. In 2007 alone the company released over 63 million tons of CO2 into the earth's atmosphere, roughly equivalent to the emissions of Portugal."[3]

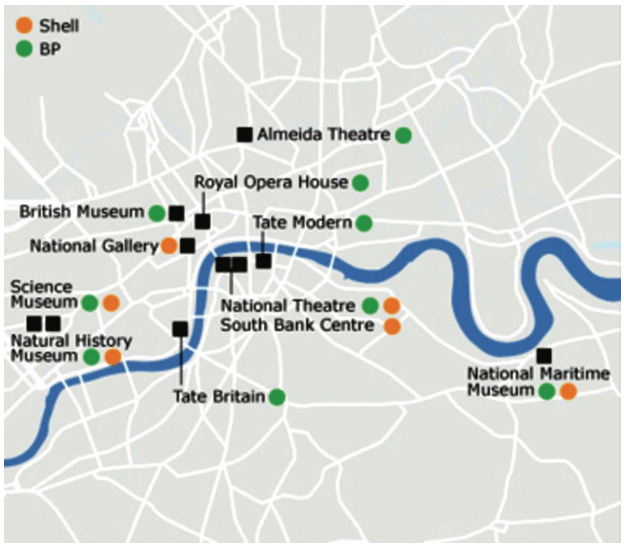
Recently, the US government filed a public lawsuit against BP for their part in the gulf oil spill of April 2010. If it was not clear to the public before that BP is a criminal corporation, it should be now. Somehow, it seems there is still work to be done, perhaps due in part to the cultural airbrushing of their image by arts institutions such as the Tate.

In their twenty-year relationship, the deal has remained essentially the same: BP offers money, and the Tate, in turn, offers social currency, cultural capital, and progressive clout. The chair of the Tate is Lord Browne Madingley, former CEO of BP. However, I doubt he had any influence on the email that was sent to us. It is more likely to have been a classic case of self-censorship, stemming from fear and conceived of by the curators themselves to protect against any possible criticism. Notably, when one looks at the history of social change, it is clear that in order to achieve progress in urgent issues, a precarious situation needs to be seen as motivation, rather than as a boundary.

Rather than functioning as a warning, the email functioned as a catalyst for us, and Jordan decided that he would project it onto the wall near the beginning of the workshop. The participants would then be asked to decide how to react. In radical pedagogy, it is important to start with real material that is relevant to all in the space. The more real and less abstract the subject is to students, the more learning and genuine sharing of knowledge occurs.[4] Although we would violate the trust of the curators by revealing the email, doing so and challenging the hierarchies that we were expected to answer to had the potential to cause something genuinely interesting to happen. Furthermore, if we had told the curators of the change in plans, their jobs would have certainly been at risk and they would have been required to cancel the workshop. This was the only way to use the email without putting their jobs and the workshop under threat.

The first day of the workshop arrived, and as Jordan, one of the curators, and I laid out a selection of radical books on the chairs where the participants would sit, there was a palpable tension in the air. The issue that we were about to bring up with thirty-two individuals is one that is incredibly difficult, particularly because it is so divisive. Following the global financial crisis and, more recently, the change of government in the UK, many cultural institutions have found it increasingly difficult to secure funding. As an artist and organizer myself, I recognize the challenge of being constantly faced with ethical issues, and the many risks of contradicting one's politics when working in the arts. I frequently wonder if it is possible to make and share art in a "purely ethical" way. I am not sure if such a purity exists; to argue that it does sounds idealistic. However, there is a difference between idealism, and being active and aware of the symbolic and concrete meaning of our choices, and their broader effects.

A common reaction to the argument against the acceptance of BP sponsorship, and one we encountered several times during the workshop, is, "Why does it matter where the money comes from, as long as it is going towards something positive?" BP is currently "a major sponsor of the British Museum, the Tate galleries, the Royal Opera House and the National Portrait Gallery. In addition it sponsors the Almeida theatre, the National Maritime Museum, as well as the Science and Natural History Museums.[5]" The passive and widespread acceptance of this particular type of sponsorship greatly benefits the corporations that provide it. Through their visual and textual association with institutions with desirable "profiles," this money affects the way society views these corporations. Therefore, the acceptance of corporate sponsorship can indirectly, but drastically, impact our communities, our health, and our environment.



Map of art institutions in London that accept sponsorship from Shell and BP, Artists BP Protest Tate. Source: The Guardian, 2010.

Another common argument is that due to their support of the arts, BP cannot be all that bad. This is simply not true. In fact, ". . . according to one group of BP shareholders, BP spent more on their new eco-friendly logo last year than on renewable energy."[6] Even before the gulf oil spill, BP had a deplorable environmental record. Sponsorship agreements function as social cushions, assisting the corporation in continuing to function in an unethical manner.

"Patronage masks the corporation's participation in constructing social relations and identities in a multidimensional culture of everyday life.
. . .Culture cannot be isolated from social and political agendas."[7]

In contemporary western society, where far too much control has been outsourced from people to corporations, to oil companies, and to other actors in the prevailing capitalist system, where even our ideals can be housed in the market, these arts institutions and the people who support them have an opportunity to make an impact. The Tate has, thus far, maintained a largely passive role within this system. What sort of model does this project to other art institutions? What if the Tate were to "interrogate the interests of the corporation itself [and] consider the potential for alternative forms of participation in the production of culture"?[8] Once arts institutions stop accepting funds from unethical corporations, they will be making a radical statement by positioning themselves against practices that harm humans and the environment, and those corporations will be pressured to confront the reality of their unscrupulous practices.

The second day of the workshop arrived. The email had been shown to the participants the week before, to the great dislike of the curator present. After a heated discussion, the participants had decided to plan an action which would question the Tate's sponsorship decisions. Before the participants arrived on the second day, the gallery administrators called Jordan in for a meeting with several members of staff, including the director of security. He was first given a lecture about the importance of respecting corporate sponsors, and then informed that the workshop was to be monitored with high security. They threatened to cancel the workshop or shut it down if we were to do anything that would threaten the "peaceful enjoyment of the visitors."

At the end of the day, the participants performed a beautiful yet simple action. They posted large black letters on the windows of the seventh floor workshop room that read "Art not Oil." The words remained on display for about thirty minutes, as several of us went outside to document the action.

"Art not oil" action, Disobedience Makes History, Tate Modern, 2010. Photograph by Amber Hickey.

Before the workshop ended, we discussed the need to form a group that would continue and build upon the efforts that we had started. After the workshop, the participants stayed in touch, met with other like-minded people, and began performing actions as the art activist collective, Liberate Tate. LT regularly organizes creative actions, aiming to encourage the Tate galleries to cease their acceptance of sponsorship from BP. This is an extraordinary outcome for what began as a simple idea to provoke institutional critique, fuelled by activist thinking, inside the concrete walls of the ten-year-old monolith of the Tate Modern.

Locally, Liberate Tate has built ties to research organization Platform and grassroots activism group Art Not Oil, both of which they collaborated with in their Tate à Tate audio tour project, aiming to "provide visitors with a new experience of the presence of BP" in the Tate galleries.[9] Art Not Oil is allied with Rising Tide and the Greenwash Guerrillas—environmental activism groups with chapters internationally. However, it has proven difficult to find movements focusing specifically on the ethics of sponsorship in the cultural industry in other countries. Having recently moved back to the United States, I cannot help but notice the ubiquitous presence of corporate logos on cultural institutions in our cities; one of the most ironic is a Boeing logo on the National Center for the Preservation of Democracy in Los Angeles. That the influence of the cultural industry in the cycle of corporate image repair seems to be largely overlooked here

is frustrating, but unsurprising, considering that the United States has a firmly established and widely lauded history of private funding of cultural institutions. Although sponsorship from tobacco companies is no longer socially acceptable, there is still a marked lack of critique in the receipt of sponsorship from other industries with questionable ethical records. In 1969, the Guerrilla Art Action Group performed an action that has come to be known as Blood Bath in the MOMA lobby, protesting the presence of the weapons-industry-affiliated Rockefeller family on the museum's board.[10] Aside from this and other related actions by the GAAG, as well as those by Hans Haacke and the Art Workers Coalition, most of which occurred during the Vietnam War Era, I have not managed to unearth a critique that has emerged with such high visibility in the United States since.[11] This area is ripe for exploring.

Following growing public pressure, along with the actions of Liberate Tate, the Tate issued a public statement of their intent to re-evaluate their acceptance of BP sponsorship. I hope the term "re-evaluate" will come to fruition with more than mere discussion.

12/1/12 Print

Subject: RE: books and climate change show
From: Sandra Sykorova
To: amberhickey318@yahoo.com;
Cc: Gabriela.Salgado artactivism
Date: Thursday, February 5, 2009 8:43 AM

Hi Amber

Hope you are well and enjoying the snowy times. London has been covered in whiteness since Monday, dreamy.

As a follow up to our meeting few weeks ago, here are few points that we will need to consider and elaborate on with regards to the planning of John's workshop which as we discussed is to take place in November 2009. I suggest that from now on you take the lead role in the conceptualization of the workshop in discussion with us. Based on the draft proposal, we would like you to write up a programme of the two-day workshop in more detail.
At the moment, we have confirmed the following:
Title: TBC
Date: 7th and 14th November 2009
Times: 10:30-17:30
Location: Level 7 East Room, Tate Modern
Capacity: 30 participants
Ticket price: TBC
Deadlines: John to email us the workshop blurb for the web and for the printed guide + image by March 2009.
Materials: TBC
AV requirements: TBC

What we now need to decide on now is the actual format of the workshop. As discussed the focus of the workshop will be to explore the relationship between art and activism. However, what would the practical aspects and outcomes of this workshop look like for the participants? What will happen in each of the sessions? With regards to the possible event that was mentioned in our meeting, that would most likely need to take place off-site.
Ultimately, it is also important to be aware that we cannot host any activism directed against Tate and its sponsors, however we very much welcome and encourage a debate and reflection on the relationship between art and activism.

If you could email us in the next couple of weeks with updates on the above as well as the workshop programme, that would be great.

Regards

Sandra

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"Beyond Reflection: Radical Pedagogy and the Ethics of of Art Sponsorship" was written in 2010. Since then, the article has undergone minor changes and updates.

1 It was not the first time Jordan had been invited to lead a workshop at the Tate. He was also invited in 2008 to lead a workshop related to Doris Salcedo's Unilever-sponsored Shibboleth in the Turbine Hall. He refused at that time, due to Unilever's support of the Burmese military junta.
2 "Tate Ethics Policy" http://www.tate.org.uk/download/file/fid/4428, Last modified 2008; "Our Priorities" http://www.tate.org.uk/about/our-work/our-priorities, Last modified 2012.
3 "BP Wins Coveted Emerald Paintbrush Award" http://www.greenpeace.org.uk/blog/climate/bps-wins-coveted-emerald-paintbrush-award-worst-greenwash-2008-20081218, 22 December 2008.
4 John Jordan in discussion with the author, November 2010.
5 "Artists prepare for BP protests at Tate Britain," http://www.guardian.co.uk/environment/2010/jun/24/artists-bp-protest-tate, 24 June 2010. Update, February 2013: According to grassroots activism group Art Not Oil, the Almeida theatre is no longer accepting sponsorship from BP ("About Art Not Oil," http://www.artnotoil.org.uk/about, 2011).
6 "BP: Beyond Petroleum or Beyond Preposterous," http://www.corpwatch.org/article.php?id=219, 14 December 2000.
7 Mark W. Rectanus, Culture Incorporated: Museums, Artists, and Corporate Sponsorships (Minneapolis: University of Minnesota Press, 2002), 5.
8 Ibid.
9 "'Tate a Tate' - Audio Tour," Liberate Tate Blog, 2012, http://liberatetate.wordpress.com/alternative-tate-tour-2/. More information on the tour can be found here: http://www.tateatate.org/.
10 Guerrilla Art Action Group, Jon Hendricks, and Jean Toche, Gaag, the Guerrilla Art Action Group, 1969-1976: A Selection (Printed Matter, 1978) Number 3, Communique.
11 If the reader knows of any such efforts, please get in touch. This is an ongoing research project, and I would love to hear about actions and groups that I may have overlooked.

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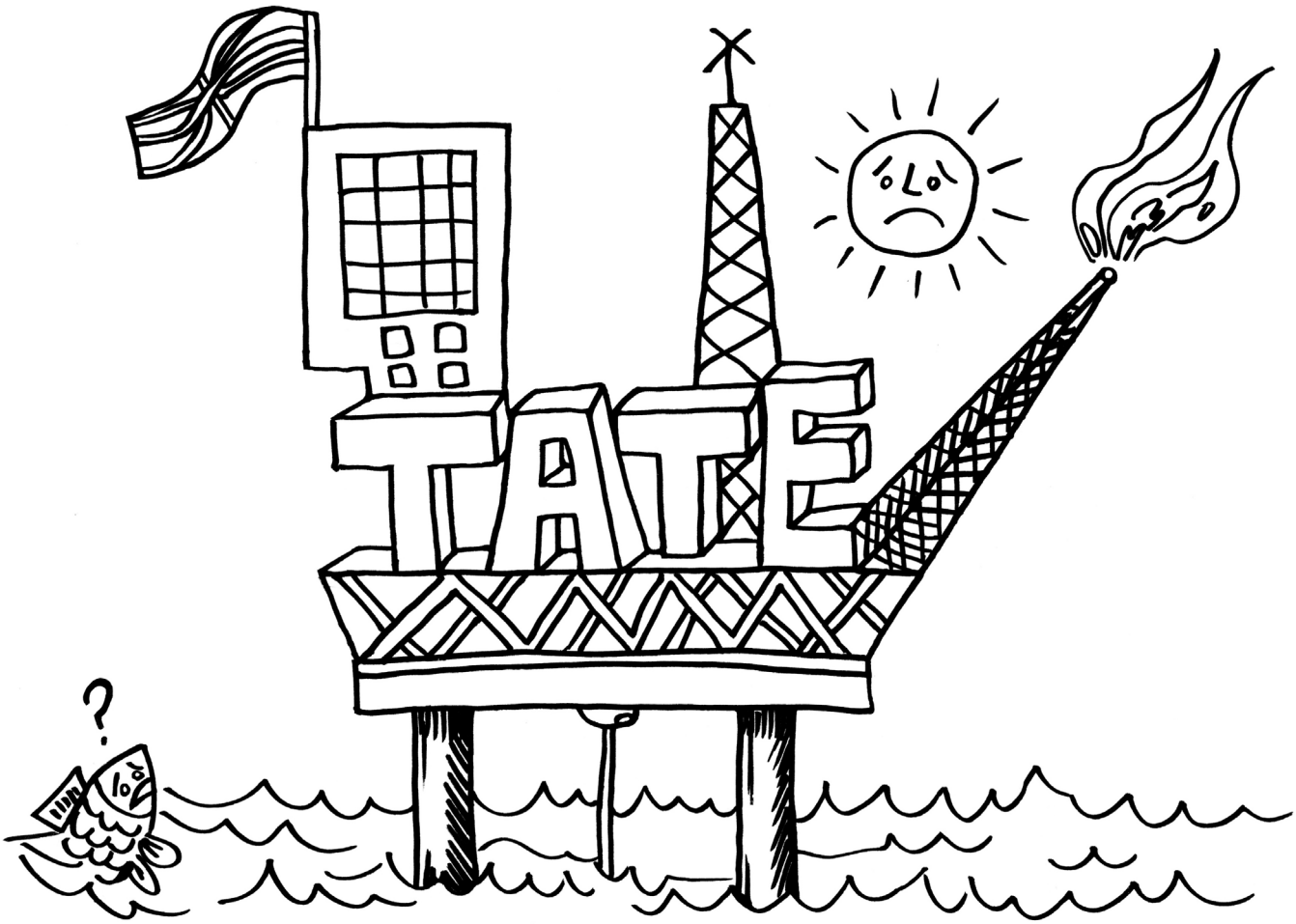
Amber Hickey is an artist, organizer, and PhD student currently based in Santa Cruz, California. Her work is focused on creatively challenging "inevitable" structures: profit-based economies, unjust hierarchies, gender roles and so forth. She is the editor of "A Guidebook of Alternative Nows."



ARTISTS' CONTRACTS AND ARTISTS' RIGHTS

Fokus Grupa

The genealogy of the manifesto in the arts can be traced back to political proclamations – documents which put forth an agenda of certain political programs and goals. This is not surprising as artists and intellectuals have been increasingly involved in political affairs since the 19th century. Agitating for political/artistic claims was therefore a *natural* process embraced by avant-garde artists who arguably inaugurated the use of manifestos in the arts. Art manifestos have become so important that the avant-garde was canonized largely relying on the self-identification scriptural practices of different artistic groups expressing their programs and goals. For example, Alfred Barr's famous 1936 diagram for the MoMA exhibition "Cubism and Abstract Art," which presented the development of modern art in the West, singled out several early modernist and avant-garde movements, at least half of which were self-identified groups around their respective manifestos.[1]

Even though they were developed from the rhetoric of social and political agitation, the proclamations espoused in art manifestos have been largely embraced by the art world – perhaps as a consequence of their straightforward way of address. Indeed, art manifestos have come to be more commonly perceived as art ephemera or as art works in and of themselves, rather than operative ideas to be put into practice in order to achieve certain goals. To be sure the manifesto reflects individual or group agendas of what the art world and even the world is and what it should become, often using agitational rhetoric to prescribe future developments.

Approximately at the same time as the art manifesto emerged, a different type of textual *promotion* of artistic practices arose in the context of the Russian avant-garde. In line with the ideals of the 1917 Russian revolution, Kazimir Malevich drafted one of the earliest documents dealing with artists rights entitled "Deklaratsiya prav khudozhnika: Zhizn' khudozhnika" (Artists Rights Declaration: The Artist's Life) published in Anarchya (Anarchy) in June 1918. Oriented towards art as labor and artists as workers, Malevich's text defines artistic practice in the context of the legal and economic frameworks at play after the art work *leaves*

the possession of its producer. This type of agreement, even though in many ways similarly utopian in its goals as the art manifesto, was nonetheless grounded in a legal rhetoric.

In line with their preoccupation with textual instructions, documents, definitions etc., conceptual practices of the 1960s and 1970s further developed such agreements designed to protect artists and their work, as opposed to the contract which usually benefits the buyer or the dealer.

Weather challenging bourgeois tastes, expanding the field of art or resisting commodification of art works/practices, both the manifesto and the contract function in two different ways. While manifestos intentionally work against the grain of the art world, they have nevertheless been historicized as merely art ephemera; meanwhile, contracts, which mainly intend to regulate the art system instead of revolutionizing it, have been raised at the level of art works as they closely resemble the textual instructions, documents, definitions which entered the 1960s conceptual practices.

Since the beginning of the 20th century, objects such as the urinal, originally a functional design object, have been used to expand the understanding of what is perceived as art – Duchamp's example is used when a project is denied the status of "art." Furthermore, as Boris Groys observed: "Looking for modern art in today's museums, one must realize that what is to be seen there as art is, above all, defunctionalized design fragments, be it mass-cultural design, from Duchamp's urinal to Warhol's Brillo Boxes, or utopian design that—from Jugendstil to Bauhaus, from the Russian avant-garde to Donald Judd—sought to give shape to the "new life" of the future. Art is design that has become dysfunctional because the society that provided the basis for it suffered a historical collapse, like the Inca Empire or Soviet Russia."[2]

Maria Eichhorn's project "The Artists' Contracts" shows contracts as case studies in a context of an exhibition. In the interviews Eichhorn conducted in the related publication[3] artist Daniel Buren explicitly differentiated his artistic work from the contract he devised. This is not the case with others. Adrien Piper for example, included a clause in the contract, which very much resembles her artistic strategies: "No single work by the Artist shall be sold by the Dealer at a percentage discount… since it is already subject to the 50% Off Black Artist Discount and 25% Off Women Artist Discount."

It would be tempting to conclude that what the manifesto was for the avant-garde, the artist agreement/contract was for conceptual art. Both the manifesto and the artist agreement are still thriving to this day, but the relevance of the manifesto has obviously decreased with the end of modernism, while the need to regulate and maintain the existing system has become more relevant since the 1960s. Looking

at the wider political context, one might say that at least in the *Western* context, the language of arms has been substituted by the more *benevolent* language of the law.

The research of Fokus groupa began in 2009 with a project carrying a somewhat misleading title "Art and Market."[4] We investigated different case studies, contracts and actions by artists and self-identified art workers dealing with artists' rights as well as art works that negotiate the established production process, the distribution and the circulation of art. We have published our research, which was initially presented in the form of a lecture-discussion, as a newspaper and as a website. With every new presentation and discussions we gained different insights into specific case studies from different parts of the world and art contexts.[5]

Since 2011 we have begun to work in a somewhat different way. Continuing our research into the *politics of art* we created an open series of drawings, work in progress entitled "Pjevam da mi prođe vrijeme"(I Sing to Pass the Time)[6] based on various visual documents of political and or legal interventions by artists and art workers throughout the 20th century. Contrary to the outlined presentation of "Art&Market", "Pjevam da mi prođe vrijeme" consists of drawings, which are *indexes* of different treads of open research that are continuously added to the project.

In 2012, we were invited to organize an event in the framework of the program "Micropolitics" organized by "[BLOK] Local Base for Culture Refreshment", dealing with the relationship between art and money.[7] Our afore-mentioned projects gave us an insight into a fair amount of cases where artists and art workers approached the art system as a field in which political and ideological issues are pursued. Thinking of the format for the "Micropolitics" event, we decided to organize a workshop. Entitled "Artist Contracts as Artistic Manifestos," the workshop emphasized that the need to self-organize, to be involved in the circulation of art works, to be protective of the intended meaning of the work of art, in other words to draft an agreement, is a reflection of a certain value system.

Even though many of the contracts were drafted with the intention to be used for all types of artistic production, nonetheless, all of the agreements we came across were produced by those who involved in conceptual or context-based practices. This might also be the result of our own practice as well as our interests in the wider context of art. We also observed that agreements drafted by conceptual artists such as Seth Siegelaub's from the US or Sanja Iveković and Dalibor Martinis from Yugoslavia, haven't been enthusiastically received by institutions, gallerists and collectors.[8]

Working with different art practitioners and students, we tried to discuss the need to view one's work as part of a wider economical and political framework and think of the different ways in which we can be responsible for the use and misuse of artistic labor.

We started the workshop with analyzing and discussing specific agreements[9], trough which participants of the workshop could better reflect on their own position towards the circulation and presentation of their work. Finally, all the participants including ourselves drafted a hypothetical agreement that could be employed after a consultation with a lawyer in a legal system in a specific context, which essentially expresses what each author of the contract finds relevant for her/ his/ practice.

1 More information about Barr's diagram here:
http://www.moma.org/learn/resources/archives/archives_highlights_02_1936
2 See Boris Groys, "Politics of instalation":
http://www.e-flux.com/journal/politics-of-installation/#_ftnref2
3 See Maria Eichhorn, ed., The Artists' Contracts, Köln: Verlag der Buchhandlung Walther König
4 "Art&Market [There is No Art Without Consequences]" is an art related research project started on a three-month residency in Republic of Korea were we engaged with questions such as art's relation to money, as well as art's position in gentrification processes and inherent power relations within public space. The title "Art&Market", what we came to understand later, to many evoked a manual, a set of instructions on how to enter the art market.
5 For more information on Fokus Grupa's Art and Market project see:
http://artandmarket.fokusgrupa.net/
6 "Pjevam da mi prođe vrijeme" is a title appropiated from a song by Croatian singer/songwriter Arsen Dedić, which deals with a disbelief in political potential of activism in music.
7 See more at: http://mikropolitike.blok.hr
8 These artistic contracts are reproduced below.
9 For the workshop we analyzed agreements by: Seth Siegelaub, Lawrence Weiner, Adrian Piper, Daniel Buren, Sanja Iveković and Dalibor Martinis.

Fokus Grupa is an art collective based in Zagreb formed by Iva Kovač and Elvis Krstulović. They work within the framework of post-conceptual art practices. In recent production Fokus Grupa gave lectures, made interviews and published content dealing with artist rights and the role of art within the public space [Art&Market], narrated the history of the 'art proletariat' [I Sing for Time to Pass] (published in Micropolitics Notebook 2011).

Artistic Agreement
Sanja Iveković and Dalibor Martinis

ARTIST
Surname, name _____
Address _____
Account No _____
(later in the text referred to as Artist)

ORGANIZATION OF COLLECTIVE LABOR: _____
Address _____
Account No _____
(later in the text referred to as: Gallery)

Artist and the Gallery have drafted on the (date)_____ in (place)_____ _____ this

AGREEMENT

On conditions of public presentation of artworks in organizations of collective labor in the field of culture or in the organizations of collective labor with an independent cultural program

1. PRODUCTION

1.01. Author will lend the following artworks or organize the following event to be exhibited/presented in the Gallery:
_____
_____
_____

1.02. Author will exhibit mentioned artworks or realize the mentioned artistic event in the Gallery (or in another space arranged for by the Gallery) from (date)_____ to _(date)_____

1.03. Mentioned artworks/event will be exhibited/produced in _____ _____ part of the Gallery space occupying approximately _____(size) and will not be confined in-between any other artworks.

1.04. Aforementioned artworks or concept of the mentioned artistic event the Artist will submit to the Gallery on the (date)_____ in a fitting state to be exhibited/realized, accept if it was agreed otherwise.

1.05. Costs of transportation of afore-mentioned artworks to the Galley is the responsibility of _____ and the costs of transport from the Gallery to the Author is the responsibility of _____.

1.06. Once the works are delivered to the Gallery all other costs are the responsibility of the Gallery.

1.07. The gallery takes the responsibility to exhibit all the mentioned artworks or realize the mentioned artistic manifestation. Each possible modification has to be consulted with the Author.

2. REMUNERATION

2.01. The Gallery is obliged to reimburse the Author with the following amount as a remuneration for:

a) renting the artworks _____
b) for the concept/realization of the artistic event _____
c) other: _____

2.02. Remuneration from the following article of this agreement amounts to _____ % of the net amount at the disposal of the Gallery allocated for the mentioned exhibition/event.

2.03. The Gallery will reimburse the Artist in the statutory term after receiving the invoice.

2.04. In the case that the Gallery cancels the agreed exhibition/event the Gallery is obliged to reimburse the Artist equivalent to the 50% of the remuneration agreed upon.

3. PRODUCTION

3.01. Gallery commits itself to ensure the supplementary resources, professional and technical assistance necessary for appropriate exhibition/event set up/realization.

3.02. The Artist commits himself/herself to collaborate on the set up of the exhibition, or the realization of the event unless some other agreement is reached.

4. DOCUMENTATION

4.01. Exhibition/event will be documented in the following manner:

a) photographed
b) filmed on tape
c) videotaped
d) other: _____

4.02. All the expenses of the documentation process is covered by:
a) Gallery b)Artist

4.03. Rights of use and duplication of documentary material (accept for the archival purposes) the Gallery can obtain only with special agreement with the Artist who is the sole copyright holder.

5. CATALOG/ARTSTIC PUBLICATION/PRINTED INFORMATION

5.01. Gallery obliges to provide a:
a) catalog b) publication c) printed information accompanying the exhibition/event following these specifications:

a) edition ……
b) dimensions …….
c) number of pages ……..
d) author of the preface …….
e) number of copies (colour - black/white) ……
f) full price ……
g) technique …….

5.02. Catalogue/publication will be prepared in collaboration and with the approval of the Artist.

5.03. The costs of the production of the catalog/publications is the responsibility of the Gallery unless it was agreed upon differently:

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6. PROMOTION:

6.01. The Gallery is obliged to announce the exhibition/event in printed material it issues and in the media with prior approval of the Artist.

6.02. The Gallery is obliged to organize the opening of the exhibition/event announcing it with invitation cards with prior approval of the Artist.

7. In case the Artist is not able to prepare his/her works for exhibiting or to realize the concept of the event, then he/she is obliged to inform the Gallery _____ days before the opening. Thereby the responsibilities of the Author and the Gallery as defined by this agreement cease to be valid.

8. In case the Artist does not fulfill his/her obligations as stated in the articles 1.01, 1.04. and 7. of this agreement, the Artist obliges him/herself to compensate all the real costs and damage that resulted in the obligations of the Gallery toward third legal and private parties.

9. Additional arrangements: ……
……
……

10. This agreement becomes valid when signed by the Artist and the Gallery.

11. In case of legal dispute a Zagreb legal court will be consulted.

12. This agreement is drafted in ……. copies out of which one is for the Artist and …… for the Gallery.

Artist Signature Gallery representative signature

THE ARTIST'S RESERVED RIGHTS TRANSFER AND SALE AGREEMENT

SECOND EDITION

The accompanying form is the second edition of the contract conceived by Seth Siegelaub and drafted by Robert Projansky, a New York attorney, in 1971. It has been revised by Mr. Projansky.

The original contract was well-received by artists, but distribution was limited and its legal language was rather forbidding. The version published on this poster is much shorter, easier to read and easier to use.

WHAT THE CONTRACT DOES

The contract is designed to give the artist:

- 15% of any increase in the value of each work each time it is transferred;
- a record of who owns each work at any given time;
- the right to have the work remain unaltered by the owner;
- the right to be notified if the work is to be exhibited;
- the right to show the work for 2 months every five years (at no cost to the owner);
- the right to be consulted if restoration becomes necessary;
- half of any rental income paid for the work, if there ever is any;
- all reproduction rights.

The economic benefits would last for the artist's lifetime, plus the life of a surviving spouse, plus 21 years, so as to benefit the artist's children while they are growing up. The aesthetic controls would last for the artist's lifetime.

WHEN TO USE THE CONTRACT

The contract form is to be used when the artist parts with each work FOR KEEPS:

WHEN TO USE THE CONTRACT

The contract form is to be used when the artist parts with each work FOR KEEPS:

Whether by sale, gift, or trade for things or services;
Whether it's a painting, a sculpture, a drawing, a non-object piece or any other fine art;
Whether to a friend, a collector, another artist, a museum, a corporation, a dentist, a lawyer—anyone.

It's NOT for use when you *lend* your work or *consign* it to your dealer for sale; it IS for use when your dealer sells your work (or if he buys it himself).

HOW TO USE THE CONTRACT

1. Photocopy the contract form. You'll need 2 copies for each transfer. Save this original to make future copies and for reference.
2. Fill out both copies, using the checklist instructions in the margin.

You may want to enter "Artist's address" as c/o your dealer.

Note that the contract speaks in terms of a "sale"; the word "sell" is used for the sake of simplicity (likewise we use the word "purchaser" because it's the most all-inclusive word for this purpose). In a sense, even if you are giving or trading your work you are "selling" it for the promises in the contract plus anything else you get.

In paragraph 1 enter the price OR the value of the work. You can enter any value that you and the new owner agree upon. If he sells it later for more he will have to pay you 15% of the increase, so the higher the number you put in originally the better break the purchaser is getting. If you are giving a friend a work or exchanging with another artist (be sure to use two separate contracts for the latter situation) you might want to enter a very low value so you would get some money even if he/she resells it at a bargain price.

If there are things you wish to delete or modify, cross out what you don't want and make any small changes directly on the form, *making sure that both parties initial all such strikeouts and changes*. If you don't have room on the form for the changes you want, add them on separate sheets entitled "Rider to Contract" and *be sure both are signed by parties and dated*. You should consult an attorney for extensive changes.

3. You and the purchaser sign both copies so each will have a legal original.
4. Before the work is delivered be sure to cut out the NOTICE from the lower right corner of one copy and affix it to the work. Put it on a stretcher bar or under a sculpture base or wherever it will be aesthetically invisible yet findable. Protect it with a coat of clear polyurethane or the like.

If your work simply has no place on it for the NOTICE or your signature—in which case you should always use an ancillary document which describes the work, which bears your signature and which is transferred as a (legal) part of the work—glue or copy the NOTICE on that document.

RESALE PROCEDURE

When a work is resold the seller makes three copies of the TRANSFER AGREEMENT AND RECORD ("TAR") from the original contract, fills them out entering the value that he and the next owner have agreed on, and both of them sign all three copies. The seller keeps one, sends one to the artist with the 15% payment (if required) and gives one to the new owner along with a copy of the original agreement, so he will know his responsibilities to the artist and have the TAR form if the work is resold again.

THE DEALER

If you have a dealer he will be very important in developing your use of the contract. He should make use of the contract a policy of the gallery, thereby giving the artists in the gallery collective strength against those collectors and institutions who don't really have the artist's interests at heart.

Remember, your dealer knows all the ins and outs of the art world; he knows the ways to get the few reluctant buyers to sign the contract—the better the dealer the more ways he knows. He can do what he does now when he wants something for one of his artists—give the collector favors, exchange privileges, discounts, hot tips, advice, time and all the other things buyers expect and appreciate. It even gives him an opportunity to raise the subject of prospective increase in the value of your work without seeming crass.

The contract helps dealers do what they try to do now anyway. Dealers try to keep track of the work they have sold, but now they can only rely on hit-or-miss intelligence and publicity. The contract creates a simple record system which will automatically maintain a biography of each work and a chronological record of ownership. It makes giving a *provenance* no trouble at all. And it's almost costless to administer, only another few minutes of typing for each sale.

Using the contract is mostly a state of mind. If your dealer doesn't think the benefits of the contract are important he will have dozens of reasons why he can't get the buyers to sign it; if he cares and wants those benefits for you he'll use it every time and he won't lose a sale.

THE FACTS OF LIFE: YOU, THE ART WORLD AND THE CONTRACT

The vast majority of people in the art world feel that this idea is fair, reasonable and practical. Reservations about using the contract can be summed up in two basic statements:

- ". . . the economics of buying and selling art is so fragile that if you place one more burden on the collectors of art, they will simply stop buying art . . . "; and
- ". . . I will certainly use the agreement, but only if everyone else uses it . . . "

The first statement is nonsense. Clearly the *art* will be just as desirable with as without the contract, and there's no reason why the value of any work should be affected, especially if this contract is standard for the sale of art, which brings us to the second statement. If there's a problem here, it's the concern of artists or dealers that the insistence on use of this contract will jeopardize their sales in a competitive market. Under careful scrutiny this proves to be mostly illusory.

All artists sell, trade and give their work to only two kinds of people:

- those who are their friends;
- those who are not their friends.

Obviously, your friends won't give you a hard time. The only trouble will come with someone who isn't your friend. Since surely 75% of all serious art that's sold is bought by people who are friends of the artist or dealer—friends who drink together, weekend together, etc.—resistance will come only in some of those 25% of your sales to strangers. Of those people, most will wish to be friendly with you and won't hesitate to sign the contract to show their respect for your ongoing relationship with your work. This leaves perhaps 5% of your sales which encounter serious resistance over the contract, and even this should decrease toward zero as the contract comes into widespread use.

In short, this contract will help you discover who your friends are.

If a buyer wants to buy but doesn't want to sign, tell him that all your work is sold under the contract, that it's standard for your work.

You can point out to the reluctant buyer:

The contract doesn't cost anything unless your work appreciates in value; most art doesn't;

If he makes a profit on your work you get only a small percentage of it—about the equivalent of a waitress's tip;

If you like you can offer to take your prospective 15% payment in something other than money, or to give him a partial credit against a new work;

Or you can offer to put in an original value that's more than what he's paying, giving him a free ride on part of any prospective profit.

Of course, if a collector buys a work refusing to sign the contract he will have to rely on good will when he wants you or your dealer to appraise, restore or authenticate it. Why he should expect to find good will there is anybody's guess.

Is the buyer really going to pass up your work because you ask him to sign this contract? Work that he likes and thinks is worth having? If the answer is 'yes', given the fact that it doesn't cost him a thing to give you, the artist, the respect that you as the creator of the work deserve—if that will keep him from buying, he is too stubborn and foolish for anyone to tell you how to illuminate him. Non-use of this contract is a dumb criterion for selecting art.

ENFORCEMENT

First, let's put this in perspective: most people will honor the contract because most people honor contracts. Those who are likely to cheat you are likely to be the same ones who gave you a hard time about signing the contract in the first place. Later owners will be more likely to cheat you than the first owner, but there are strong reasons why both first and future owners of your work should fulfill the contract's terms.

What happens if owner #1 sells your work to owner #2 and doesn't send you the transfer form? (He's not sending your money, either.)

Nothing happens. (You don't know about it yet.)

Sooner or later you do find out about it because the grapevine will get the news to you (or your dealer) anyway. Then, if owner #1 doesn't come across you can sue him. He will be stuck for 15% of the profit he made OR 15% of the increase in value to the time you heard about it, which may be much more. Also, note that if you have to sue to enforce any right under the contract, Paragraph 14 gives you the right to recover reasonable attorney's fees in addition to any other remedy to which you may be entitled. Clearly, owner #1 would be foolish to take the chance.

As to falsifying values, there will be as much pressure from new owners to put in high values as there is from old owners to put in low values. In 95% of the cases the amount of money to be paid the artist won't be enough to make them lie to you (in unison).

SUMMARY

We realize this contract, like its predecessor, will disturb some dealers, museums and high-powered collectors, but the ills it remedies are universally acknowledged to exist and no other practical way has ever been devised to cure them.

Its purpose is to put you—the artist—in the same position as the man behind the rent-a-car counter. He didn't write his contract, either, but he says: if you want it, sign here. You do the same.

Using this contract doesn't mean all your art world relationships will be strictly business hereafter or that you have to enforce every right down to the last penny. Friends will still be friends and if you want to waive your rights you can, but they will be YOUR rights and the choice will be YOURS.

The contract in its prior form has been used by many artists—known, well-known and unknown. Use it. It's enforceable. The more artists and dealers who use it, the better and easier it will be for everybody to use it. It requires no organization, dues, meetings, registration or government agency—just your desire to protect the integrity of your art.

What it gives you, the artist, is a legal tool you can use to establish continuing rights in your work at the time you transfer it but whether or not you use the contract is up to you. Consider the contract as a substitute for what is available otherwise: nothing.

This has been created for no recompense to the author for just the pleasure of attacking a challenging problem, and it is based on the feeling that should there ever be a question about artists' rights in reference to their art, the artist is more right than anyone else.

AGREEMENT OF ORIGINAL TRANSFER OF WORK OF ART

fill in names, addresses of parties

Artist: _____ address: _____

Purchaser: _____ address: _____

WHEREAS Artist has created that certain Work of Art ("the Work"):

fill in data identifying the Work

Title: _____ dimensions: _____

media: _____ year: _____ and

WHEREAS the parties want the Artist to have certain rights in the future economics and integrity of the Work, The parties mutually agree as follows:

fill in agreed value

1. **SALE**: Artist hereby sells the Work to Purchaser at the agreed value of $ _____

2. **RETRANSFER**: If Purchaser in any way whatsoever sells, gives or trades the Work, or if it is inherited from Purchaser, or if a third party pays compensation for its destruction, Purchaser (or the representative of his estate) must within 30 days

identifying the Work

media:_____ year:_____ and

WHEREAS the parties want the Artist to have certain rights in the future economics and integrity of the Work, The parties mutually agree as follows:

fill in agreed value

1. **SALE**: Artist hereby sells the Work to Purchaser at the agreed value of $_____
2. **RETRANSFER**: If Purchaser in any way whatsoever sells, gives or trades the Work, or if it is inherited from Purchaser, or if a third party pays compensation for its destruction, Purchaser (or the representative of his estate) must within 30 days

(a) Pay Artist 15% of the "gross art profit", if any, on the transfer; and

(b) Get the new owner to ratify this contract by signing a properly filled-out "Transfer Agreement and Record" (TAR); and

(c) Deliver the signed TAR to the Artist.

(d) "Gross art profit" for this contract means only: "Agreed value" on a TAR less the "agreed value" on the last prior TAR, or (if there hasn't been a prior resale) less the agreed value in Paragraph 1 of this contract.

(e) "Agreed value" to be filled in on each TAR shall be the actual sale price if the Work is sold for money or the fair market value at the time if transferred any other way.

3. **NON-DELIVERY**: If the TAR isn't delivered in 30 days, Artist may compute "gross art profit" and Artist's 15% as if it had, using the fair market value at the time of the transfer or at the time Artist discovers the transfer.
4. **NOTICE OF EXHIBITION**: Before committing the Work to a show, Purchaser must give Artist notice of intent to do so, telling Artist all the details of the show that Purchaser then knows.
5. **PROVENANCE**: Upon request Artist will furnish Purchaser and his successors a written history and provenance of the Work, based on TAR's and Artist's best information as to shows.
6. **ARTISTS EXHIBITION**: Artist may show the Work for up to 60 days once every 5 years at a non-profit institution at no expense to Purchaser, upon written notice no later than 120 days before opening and upon satisfactory proof of insurance and prepaid transportation.
7. **NON-DESTRUCTION**: Purchaser will not permit any intentional destruction, damage or modification of the Work.
8. **RESTORATION**: If the Work is damaged, Purchaser will consult Artist before any restoration and must give Artist first opportunity to restore it, if practicable.
9. **RENTS**: If the Work is rented, Purchaser must pay Artist 50% of the rents within 30 days of receipt.
10. **REPRODUCTION**: Artist reserves all rights to reproduce the Work.
11. **NOTICE**: A Notice, in the form below, must be permanently affixed to the Work, warning that ownership, etc., are subject to this contract. If, however, a document represents the Work or is part of the Work, the Notice must instead be a permanent part of that document.
12. **TRANSFEREES BOUND**: If anyone becomes the owner of the Work with notice of this contract, that person shall be bound to all its terms as if he had signed a TAR when he acquired the Work.
13. **EXPIRATION**: This contract binds the parties, their heirs and all their successors in interest, and all Purchaser's obligations are attached to the Work and go with ownership of the Work, all for the life of the Artist and Artist's surviving spouse plus 21 years, except the obligations of Paragraphs 4, 6 and 8 shall last only for Artist's lifetime.
14. **ATTORNEYS' FEES**: In any proceeding to enforce any part of this contract, the aggrieved party shall be entitled to reasonable attorneys' fees in addition to any available remedy.

fill in date both sign

Date: _____

_____
Artist

_____
Purchaser

TRANSFER AGREEMENT AND RECORD

fill in data identifying the Work

Title:_____ dimensions:_____

media: _____ year:_____

fill in date

Ownership of the above Work of Art has been transferred between the undersigned persons, and the new owner hereby expressly ratifies, assumes and agrees to be bound by the terms of the Contract dated_____between:

fill in names, addresses of parties

Artist: _____ address:_____ and

Purchaser: _____ address:_____

Agreed value (as defined in said contract) at the time of this transfer: $ _____

Old owner: _____address:_____

New owner:_____ address: _____

Date of this transfer: _____

do not FILL in anything between these lines

fill in date fill in names of parties and Artist's address on both Notices

SPECIMEN NOTICE

Ownership, transfer, exhibition and reproduction of this Work of Art are subject to a certain Contract dated _____ between:

Artist: _____

Address: _____ and

Purchaser: _____

Artist has a copy.

cut out, affix to Work

NOTICE

Ownership, transfer, exhibition and reproduction of this Work of Art are subject to a certain Contract dated_____between:

Artist: _____

Address:_____ and

Purchaser:_____

Artist has a copy.


ZAMPA DI LEONE
DEAR SANJA, DON'T BE SO LOGOCENTRIC!
HAFTGRÜNDE
WEIL SIE WAHRSAGEREI BETRIEBEN HAT
WEIL SIE SICH DEM ÜBERGEORDNETEN FRECH GEGENÜBER BENAHM
WEIL SIE SICH BEI EINER SCHRANKKONTROLLE IM BETRIEB WIDERSETZTE
WEIL SIE SICH UMHERGETRIEBEN UND DEN ARBEITSVERTRAG GEBROCHEN HAT
WEIL SIE ARBEITSUNWILLIG IST UND DARÜBER KEINE REUE ZEIGT
WEIL SIE EINE FANATISCHE BIBEL FORSCHERIN IST
WEIL SIE SICH IN DER ÖFFENTLICHKEIT STAATSFEINDLICH GEÄUßERT HAT
WEGEN IHRES STÄNDIGEN ANTISOZIALEN VERHALTNES GEGENÜBER SEINEN ARBEITSGEBERN
BREITENAU ARBEITSERZIEHUNSLAGER 1940-45
BAYER
SIEMENS
IBM

THE BERLIN WIRE

Marsha Bradfield & Kuba Szreder
(members of Critical Practice)

Intro

Our case study is a story about institutional inertia in the arts. It considers Critical Practice Research Cluster's (CP) failed attempt to transform the socio-economic mechanisms prompted by and organizing the seventh Berlin Biennale (BB7). CP is comprised of artists, designers, academics and others and is associated with Chelsea College of Art and Design (London UK). The Cluster explores the conditions and possibilities of cultural production, including itself as an instance of contemporary collaborative praxis. CP embodies this self-reflexively via modes of self-governance and forms of self-organization marked by transparency, open access and pragmatic practice. In keeping with these concerns, the Cluster's proposal to BB7 sought to formulate micro-transformations of the Biennale's apparatus, attending in particular to its socio-economic aspects: the ways in which BB7 managed both the people and/or resources it brought together.

Titled "Critical Economic Practice" (CEP for short), this project sought to reflexively explore BB7's controversial curatorial agenda focused on the "results of art". If this agenda aimed to move art beyond empty gestures caught in the art world's symbolic economy and task it with realizing real-world results, CEP aimed to consider their achievement through "the apparatus of contemporary art": the aggregate of practices, mechanisms, resources, energies, desires, agendas, strategies and tactics that motors the ongoing reproduction of art as a field of cultural activity composed of artists, curators, artworks, audiences, institutions and other actors.
In contrast to the glut of critique on BB7 as an art world extravaganza, what follows is closer to a behind-the-scenes glimpse of the Biennial's apparatus. We draw on CP's experience of negotiating this apparatus while considering general, even perennial questions about the organizational mechanisms composing "the institution of art," to use Peter Bürger's notion.[1] We frame CP's application as a kind of "crash test" to highlight one of its notable results: our proposal failed to overcome institutional inertia, despite the curators of BB7 expressing interest in CEP's realization.
It is important to note that despite CEP being excluded from BB7, the project is ongoing. It will evolve in response to other organizational circumstances and institutional specificity with the aim of positively transforming the apparatus

of contemporary art in general. The agents of CEP are also in flux. The "we" of this text refers to its immediate authors who, as members of CP, are evolving CEP on behalf of the Cluster. Additionally, Metod Blejec, Cinzia Cremona, Neil Cummings, Karem Ibrahim, Scott Schwager and other members of CP have contributed to CEP directly and indirectly over the course of its development. Others are sure to shape the project in future.

Prologue

CP's proposal to BB7 developed through negotiations with the curators and organizers, mainly Artur Żmijewski (AŻ), Joanna Warsza and Zdravka Bajović. This dialogue began in 2011 when we met with AŻ on 15.01.11 after the symposium, "Art: What is the Use?" at Whitechapel Gallery in London, where he made a presentation. There was a serendipitous connection between the symposium's preoccupation with art's utilitarian value and AŻ's growing interest in its concrete outcomes. We discussed CP's practice, ethos and projects with AŻ and he invited the Cluster to develop a proposal as a response to BB7's theme.
In an email 24.01.2011, AŻ clarified his commitment to engaging artists with the impact of art as well as questions around whose agenda it aims to advance. Is it possible, he wondered, to produce a work of art that has a measurable result? Can artists and/or their practice "create reality" in the same way that politicians sometimes can? Who do artists represent: a community and/or themselves? AŻ was emphatic that only artworks realizing genuine results were relevant to BB7. There was no place for empty gestures in this frame.

Intrigued by Biennial's preoccupation with something akin to art's use value, CP proposed a "Market of Values" to engage with the subtle and situated economics organising art and other contingent economic circuits:

Markets are good at evaluating values, and communicating the results of those evaluations. While the idea of values distributed by competitive markets penetrates all aspects of contemporary life, other kinds of markets and economies exist, even flourish. Our market will be inspired by the ancient agora – a site of economic transaction and a space of political discourse. We will propose, explore and implement various economies and structures of exchange, these might include: a casino, a blood donation bank, an auction, a derivatives market, various currencies, voting systems, gift economies, waste, and many others. Some values and economies might benefit everyone, like a commons (a blood bank, for example) and not just those who are the fiercest competitors or start with the largest assets. We imagine a flea-market type assembly of structures, with stalls hosted by artists, economists, academics, activists, ecologists, anthropologists, civil-society groups, pressure groups and others to explore existing evaluative structures and produce new ones.
(CP's first proposal, 2010)

On 30.06.11, Zdravka Bajović of BB7's curatorial team emailed regarding our proposal. As a playful experiment, the "Market of Values" was ill suited for the Biennial in their view. They rejected the Market because it insufficiently addressed BB7's core question *"What is the real result of art?"*. The Cluster was invited to rework its proposal with this feedback in mind.

Critical Economic Practice (CEP) Phase One

We decided to revisit the question posed by the curators of BB7 with the scrupulous seriousness that they demanded. Instead of reflecting on the results of any singular artistic manifestation (a piece, gesture, performance, object, etc.), we focused on what George Yúdice calls the "reality effects" of the artistic institution.[2] He argues that reflection on the political results of art should not only concentrate on artworks or projects but also on the institutionalised means of their production. Artistic institutions, asserts Yúdice, produce "reality effects" by providing employment, reinforcing the division of labour, establishing alliances between sectors, strengthening contact among communities, mustering political support, connecting businesses and stimulating local economies in other ways.[3] We assumed that BB7 would be no different. As an artistic institution it would impact its surroundings to ends that are potentially easier to identify as the "real results of art" than the majority of artistic manifestations produced in the Biennale's framework. This led us to conclude that grappling with the "real results of art" meant coping with BB7's "reality effects" as an artistic institution, dispersed across its internal and external economy.

Our engagement with the "reality effects" of BB7 was directly inspired by Walter Benjamin's analysis of the artistic apparatus. In "The Author as Producer" (1934) he writes that the task of the revolutionary author is to "alienate the apparatus of production from the ruling class in favor of socialism, by means of improving it."[4] The apparatus encompasses the mechanisms of cultural production and dissemination. It is organized through the complex division of artistic labour and the social norms regulating authorship, ownership and the circulation of art objects. Moreover the apparatus influences artistic subjectivities, molds people's imaginaries and desires, their perceptions of the self and other. These conventions are functionally convergent with the economic relations underlying what Harrison and Cynthia White call the "dealer and critic system".[5] Since its emergence in the late nineteenth century, this system has linked artists, critics, dealers and collectors in flows of symbolic and economic capital that create structural conditions for the reproduction of an autonomous art field. In other words, the artistic apparatus is reciprocally intertwined with the political economy of the art world.

While developing our response to the curatorial team's feedback, we recognized the degree to which our proposal hinged on cooperation from AŻ and his staff. We were encouraged by AŻ's receptiveness to examining the "results of art" achieved by the Biennial.[6] He described its organization on various public occasions (e.g.

meetings, interviews, public statements) as a radical counterpoint to the typical structuring of similar politicized art exhibitions. Nevertheless, without reflexively engaging its own institutional conditions, BB7 ran the risk of being just another art event with a political tendency, streamlining familiar figures to conduct business as usual.

Change Begins at Home

CEP's interest in the "results of art" that BB7 might itself realize ties back to CP's own self-reflexive engagement with the forces and counter forces shaping its cultural production. In contrast to the inaccessibility that tends to ring-fence the field of art, CP aspires to be accessible in two particular ways: anyone can join and the Cluster endeavours to make its process transparent through placing its organisation documents (meeting agenda and minutes as well as research outcomes) in the public domain. Granted, in practice access to CP depends on disposable time, London residency and a willingness to negotiate the filigrees of disparate relations that propel the Cluster's becoming. The contingency, complexity and complicity that preoccupied CP's proposal for BB7 sought to grapple with the intractable results of art arising from its simultaneous engagement in multiple economies. At the same time, CEP tracked with proximate research trends. CP's involvement with the Precarious Workers Brigade and its exposé of labour abuses in the London art scene and beyond shored up the Cluster's conviction that exploring the "real results of art" entails examining the labour conditions of those most directly effected: arts practitioners. Importantly, this conviction helped us to identify our own process of working with BB7's curatorial team as a valid subject of investigation. Concomitantly, researching with Free/Slow University of Warsaw into the intersection of sociology and economics in the field of art seeded CP's then future and now current research into the disparate values propelling artistic production. In response to this medley of interests, Critical Economic Practice (CEP) was born as a sketch of what CP aimed to realise at BB7. The proposal's crux was expressed as follows.

Critical Economic Practice: C.E.P.
by Critical Practice

In response to the question central to the Berlin Biennial, "**What are the results of art?**", Critical Practice is establishing **C**ritical **E**conomic **P**ractice – **C.E.P.** This enterprise uses artistic practices to critically modify the social and economic mechanisms of the art field.

The central logic of C.E.P. is that the concrete results of art are located in the traceable outcomes of the social and economic mechanisms regulating the functioning of the art field. In contrast to vague artistic gestures that are often attributed political impact they do not deliver, C.E.P. demonstrates outcomes by catalyzing, measuring and mapping the interactions that constitute the economies of exchange in the art field.
C.E.P. targets and transforms the structures organizing production, circulation and distribution of

value in this field. C.E.P. will extract and reconfigure this value through alternative economies that insist on social justice through the insights they produce and practices they model. C.E.P. will ensure that this value is equitably distributed, in keeping with the long-standing avant-gardist commitment to radical democratization and the transformation of social structures.

For the Berlin Biennial: C.E.P's four-step methodology will identify the results of art in the context of the Biennial as follows:

(a) Research the Berlin Biennial's complex economies through a combination of mapping tools, taken from the different fields of social sciences, economy, anthropology and participatory performative practices.

(b) Propose performative interventions and artistic actions that will transform existing economies and establish alternative models of social, artistic and personal exchange inside the Biennial. Their aim will be to multiply resources by setting up additional revenue streams and provide models for public redistribution of value generated.

(c) Embody and operate these mechanisms during the course of the Biennial as both short-term interventions and more durable modifications of existing structures.

(d) Display the results through publicly accessible artworks, comprised of archives, diagrams, maps, videos and organizational documents.
C.E.P.'s aims include:

(a) To research the art field as comprised of diverse and coextensive economies, exploring how social, cultural, symbolic, economic and other structures converge and accrete value in relation to the labour and resources producing it.

(b) To address inequities by modeling alternative economies, operative within dominant structures, for tapping hidden values and/or attribute and redistribute existing ones to more equitable effect.
C.E.P. is presently devising working schemes and tactical performances for the Berlin Biennial. C.E.P. is eager to discuss and negotiate them with the Biennial's curator and managerial team. To ensure the successful execution of its strategies as part of the Berlin Biennial, C.E.P. requests feedback by 30th of August, 2011.

CEP Phase Two

At first, CEP was warmly received by BB7's curatorial team. In a Skype meeting with Zdravka Bajović and Joanna Warsza on 26.09.11, they pledged support for CP's commitment to realizing practical, action-based outcomes. CEP seemed to strike a chord, chiming with these curators' own experience of working within the constraints of a large-scale, long-term and publically-funded enterprise. They agreed that planning and realizing CEP at BB7 should begin with mapping the institution's apparatus. CP's aim was to trace BB7's various economies so as to detail how they function both internally and in relation to the Biennial's social

surroundings. The decision was taken that CP should come to Berlin for a research trip in November of 2011 and engage with BB7's apparatus first hand. To advance the Cluster and the Biennial's collaboration, CP agreed to send a list of questions to and about BB7. Emailed on 10.10.11., they sketched areas of mutual interest in line with the Cluster's ongoing concerns related to organizational structures, budgetary distribution and artistic programming. In keeping with CP's commitment to organizational transparency, we identified BB7's opaqueness as the first obstacle to be overcome before devising any sensible transformation of the Biennale's apparatus. Zdravka Bajović pledged to show support for CP's preliminary research by sending an overview of BB7's organizational structure. However, this was never forthcoming.

Critical Practice's Questions for BB7

1. General organizational structures

- how many people are employed by BB and what are their positions? What is their division of labour and responsibilities? Is there an organizational diagram which show this?
- how many people work on permanent, temporary, intern and volunteer contracts? could we have copies of the different contracts?
- how many interns does BB employ and how many of them are paid?
- what is the ratio of artists to administrators in BB?

2. Budget

- what is the BB's total budget? Could we have a breakdown of its different aspects?
- what are the main sources of revenue (i.e. public funding, ticket sales, sales of rights and publications, sponsorship, etc.) and how much income do they generate?
- what are the main expenditures (i.e. infrastructure, core team, artistic program, copyrights, insurance, public relations, etc.) and how much do they cost?
- what kind of arrangements are in place for private sponsorship? (i.e. barter of services, financial inputs, etc.)
- do you have any studies of the economic impact of the BB on Berlin (i.e. through tourism)?
- as the BB accepts public monies, in what ways does it need to be accountable for this funding? What is the 'social contract' implicit or explicit in this acceptance of public monies?

3. Artistic program

- do you have any data on the social profile of participating artists? (i.e. gender, country of origin, age groups, country of residence)
- do you have any data on the economic profile of participating artists? (i.e. how many of them are represented and take an active part in the art market? how many work in the public sector? how many subsidize their works from other sources?)
- what are the contractual agreements with artists for new commissions? (i.e. are artists paid honoraries? are the commissions copyrighted? who keeps the rights for their distribution and sale? in the case of commissions entering the art market - are any portions of sales returned to BB?)
- what are the contractual arrangements with regard to exhibiting existing works? (i.e. is BB renting

them or getting them for free? who is paid in case of renting - owners / collectors or authors?)
- what is the relation between BB and Berlin artistic scene? how many local artists are exhibited? what are the links with local partners / initiatives? what is the BB's relationship with parallel or satellite events? how many of them are involved in programming? do they receive any financial support from Biennial?

4. Audience profile
- how many visitors come to BB? do you have any specific information on the social profile of visitors? were there any marketing / audience surveys conducted in recent years? how many people pay for regular / reduced tickets, receive free accreditations (for press, professionals, etc.)?
- What does the VIP program of BB look like? What kind of privileged access / services are on offer? How many guests use these services? Are they charged specially for these services? What is the social profile of guests (i.e. collectors, politicians, directors, intellectuals, etc.)?

5. Information policy
- of the above requested information, what is publically disclosed, and on how regular a basis?
- are publications and works of art produced by BB copyrighted (with limited access) or put in the public domain (with public access)?

CEP Phase Three

At this stage and from the Biennial's perspective, it seemed the main obstacles to realizing CEP were the project's feasibility and significance. According to AŻ in an email from 12.10.11, CP's proposal failed to manifest explicit mechanisms for achieving "real world results" of art. At the same time, AŻ seemed anxious that CEP would be a mere research project. Because his curatorial agenda hinged on "finding answers and not asking questions"[7] he was reluctant to support anything abstract by dint of being exploratory.

We were astonished by AŻ's response and all the more so in light of his sense, expressed in an email of 12.10.11, that a core problem facing contemporary art practice is systemic anxiety. Eventually the Biennale was subtitled "Forget Fear," highlighting AŻ's sense that it is fear above all else that deadlocks the management of institutions and intimidates artists and curators alike. CEP aimed to explore these types of conundrums. We emailed AŻ to this effect insisting that the project's concrete mechanisms would evolve in situ and in response to BB7's apparatus. As we made the point in our correspondence on 07.10.11:

We aim at creating specific mechanisms for the Biennial, which would be a bit more innovative and context responsive than quite general ideas of taxation or contractual subversion like, for example, redistributing the revenues coming from BB commissions when they are sold on art market, micro taxing the carbon footprint of BB visitors, inventing micro financing and crowdsourcing schemes for BB audiences, introducing schemes of progressive entry charge in which costs of tickets are dependent on monthly revenue of visitors, etc.

It is perhaps not surprising that what played out in our subsequent email exchange with AŻ's and his staff was a case of "chicken and egg". To support the project and provide access to BB7's institutional knowledge, the curatorial team required a detailed description of CEP's intervention. To detail this intervention, CP needed access to BB7's in-house organization and its ongoing development. A stalemate ensued.

CEP Phase Four

The "chicken and egg" problem was exacerbated by a game of "cat and mouse". BB7's correspondence became increasingly delayed and obfuscated. Obviously the capacity to withhold information is a privilege of power, just as being exposed to the investigative gaze of disciplinary institutions is the fate of the powerless.

Then in October of 2011 our negotiations switched format, with email exchanges giving way to face-to-face meetings, informal discussions at parties and other social events. In the end, getting answers to our more probing questions proved impossible. Most of the information we received was basic and already in the public domain, namely that BB7's budget amounted to 2.5 million Euro. To this AŻ added in a conversation on 3.11.11 that the curators were only in charge of around 20% of the Biennale's budget. The rest was managed by KW Institute for Contemporary Art, the institution responsible for producing BB7.

Based on scraps of information gather through our exchange with BB7's curators, a rather grim picture emerged of institutional inertia and curatorial impasse. When we met with AŻ on 3.11.11 in Warsaw, he decried responsibility for BB7's seized apparatus, declaring himself to be victimized by it instead. According to AŻ, even simple artistic productions were met with institutional resistance and curatorial agency was seriously compromised. Rather than evolve the Biennial's organization, AŻ and his team were expected to fulfill their contractual roles and provide programming. BB7 was founded on and could operate only within a clear division of duties, responsibilities and power between managers, curators and artists.

AŻ's agenda relied on the organizational apparatus of KW, trying to redirect it away from maintaining artistic autonomy and towards supporting political change. Yet it seems, based on CP's experience of working with BB7, that it does not matter whether art is distinguished by its "purposeless purpose" or if it tries to realize social change. The bureaucracies that enable artistic production define the limits of both art's autonomy and reformist zeal. In this way, BB7 is not an exception to wider, historical tendencies. It was incumbent on KW to be as efficient as possible with the limited resources at their disposal and ensure that BB7 succeeded as an event. Other interests and ambitions, such as those identified in CEP, seemed impossible with the Biennial's institutional immunology shoring up its operational capacity. Anyone wishing to interfere with an institution's bureaucratic routines should be

prepared for resistance. The more heated and advanced the event's production, the more resistant it will be to anything compromising institutional efficiency.

Like other institutions, KW was part of an accountability chain. The institution responsible for realizing BB7 was most immediately accountable to its primary stakeholders, especially the German Federal Cultural Foundation, which provides the bulk of KW's funding. This foundation is in turn accountable to the politicians who support it. And they are in turn accountable to their parties and constituencies. In a statement pertaining to the BB7's accountability in general, AŻ declared the following: "We [BB7's curatorial and production team] should not lose sight of our main goal: to open access to performative and effective politics that would equip we ordinary citizens with the tools of action and change. Art is one of these tools"[8], with original wording and grammar). What, however, is missing from this statement is any frank acknowledgement that in this particular case, art's effectiveness *as* a tool for change was caught up with institutional accountability as accountability between institutions and key stakeholders and not the "ordinary citizens" to which AŻ referred.

What is surprising in the case of BB7 is the curatorial team's failure to acknowledge from the onset this two-fold rub: chafing between curatorial and artistic agency and institutional effectiveness on the one hand, and between formalized and general accountability on the other. Perhaps it was only through actually testing BB7's bureaucratic mechanisms that they came to appreciate its structural incapacity for change. And perhaps AŻ and his team's struggle to cope with this "real world effect" of art (institutions), helps to explain why their correspondence with CP was so intermittent. It wasn't until 27.02.2012, more than a year after our initial meeting with AŻ in London on 15.01.11 and further to several reminder emails, that we had word from BB7's associate curator Joanna Warsza: the Biennale would not realize CEP.

Dearest Marsha, Dearest Kuba,

Thank you very much for reminder, and sorry for our silence, I know that you have been waiting very long for an answer. We are sorry to say that for various reasons - some of it structural or administrative - we will not be able to realize the project with you. We are overloaded with work and sometimes struggling ourselves with the skepticism towards expanding an art field. I spoke a bit with Kuba about it...
Best and hopefully see you very soon.
Joanna

Epilogue

BB7's failure to realize CEP seems paradigmatic of the "real world effects" of arts institutions crippled by inertia. We conclude this *exposé* of CP's dialogue with the Biennial's curatorial team with several observations, some more common sense than others. It is our hope they may contribute to the critical and progressive practice of art and its institutionalization going forward.

The first observation relates to accountability. As an invited applicant to BB7, CP had no leverage on the Biennale nor exerted any instruments of political pressure. Willingly or not we negotiated from the in-between position of invitees and applicants who were at the Biennial's disposal. While it was clear that CP's application was wholly accountable to BB7, it seems that when it came to negotiating CEP, BB7 was far less accountable to CP.

Second and closely related are the terms of this negotiation. As exemplified by CEP, applications involve time, energy and other forms of investment in their preparation and assessment as well as their rejigging and negotiation. To be successful, applicants must reveal their project's significance while demonstrating their competence by earnestly and effectively engaging in the application process. How much of an artistic intention should be shared, when and to what ends? In the case of CEP, these questions grew all the more pressing as the project's likelihood of realization shrank. It was a vexing process, filled with uncertainty.

In light of this, our third observation pertains to our complicity in the very system we aim to change. In our current age of dematerialized labour, short termism, rampant collaboration and the spirit of unaccountability that often tracks with privatization, concerns around the appropriation of cultural outcomes and the expropriation of creative labour seem increasingly urgent. We do not mean to suggest that our proposal was appropriated without our participation. And yet we are struck that many of the Biennale's critical outcomes were located precisely at the intersection of curatorial agency and institutional frameworking, as they followed threads similar to those outlined in CEP. For example, an announcement issued in BERLIN BIENNIAL NEWS 19 (15.06.12) reads as follows:

More than halfway into the 7th Berlin Biennale for Contemporary Art, the invited global movements have challenged the hierarchical structure of the Biennale, initiating a move toward horizontality. Horizontality means de-centering power away from leadership hierarchies and making decisions through group consensus. The experiment consists of changing the positions of the curators relative to the Occupy Biennale and calling a series of assemblies with activists and KW staff willing to rethink the terms and conditions of labor.[9]

We read this announcement with mixed emotions. For sure, CEP shares with the OCCUPY Museum and OCCUPY movements many core values. Accountability and the rethinking of labor conditions are political postulates and not authorized notions. And the more they are spoken about, the more pressure is put on making institutional change that benefits us all. So it was not that some of CEP's ambitions were put into practice at BB7 without CP's involvement that we found so disappointing. Rather, it was their futility as largely symbolic gestures, the very type that AŻ had emphatically deplored back in January of 2011.

This comes onto our next observation, which pertains to the limits of potential transformations. The spectacle of basic democracy in the form of OCCUPY, climaxing just two weeks before the Biennale's end on July 1, 2012, is a case in point. If OCCUPY erupted with the promise of change, it came too late to impact the Biennale directly. By mid June, the Biennale's budget had been spent, the contracts were being wound up and the project was largely realized. All that remained was for BB7 to clear its debts and reconcile its failed ambitions. So when it came to transforming the Biennial, OCCUPY was a gesture shot through with capitulation manifest in its emptiness: representation without transformation.

Another attempt at transforming BB7's institution is much more effective and hence inspiring. The curatorial team made some forays into engaging the socio-economics of the institution's apparatus when they waved BB7's entrance fee, a decision announced in the Biennale's eighth newsletter published on 28.04.2013. What made this an encouraging act is that it proved, beyond any doubt, that where there is political will, a dramatic makeover of the apparatus can be achieved, even in the rush of things.

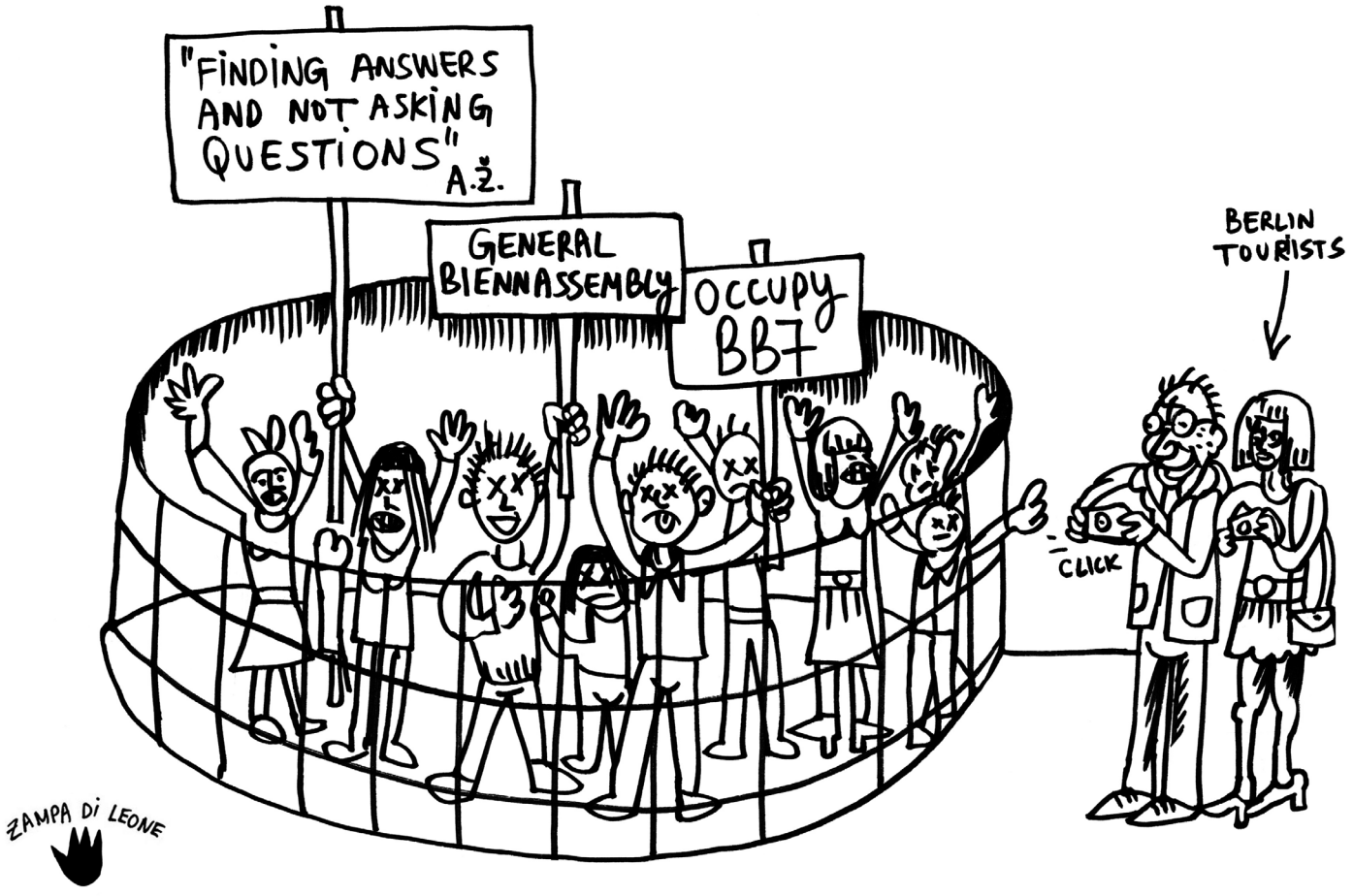
This brings us to our final observation. The growing collision between contemporaneity and complexity makes the evolution of new modes of cultural production an increasingly urgent concern. OCCUPY is appealing in part because of its NOW factor. Yet this can elide the long and convoluted process required to effect long-term and sustainable change in a world shaped through exponential interdependence. To expect either OCCUPY to revolutionize BB7 or BB7 to revolutionize itself or, the apparatus of art in general, may be unreasonable. But to ignore what this coalition between art and activism has brought to the fore, specifically demands for systemic institutional reform, is unforgivable. We hold fast to the conviction that unless transformation wrestles with the intractable problems that mitigate its very becoming, this transformation will fail. To rebuke AŻ's anti-intellectual slogan (quoted above) that BB7 was driven by "finding answers and not asking questions," we insist that moving beyond abstract theory depends on collectively questioning the basis for institutional inertia in the art world and political paralysis in general. To this end and as an exposé of its evolution through BB7, may the foregoing discussion of CEP's early development be a resource for mapping the apparatus of art, building solidarity amongst practitioners and

identifying practices that deadlock critical cultural production. Only through engaging this reflection, solidarity and cessation can we move beyond dreaming of alternatives and get down to the difficult work of achieving real-world results with a lasting legacy.

1 Peter Bürger, Theory of the Avant-Garde (Manchester: Manchester University Press, 1984).
2 George Yúdice, The Expediency of Culture: Uses of Culture in the Global Era. (Durham, NC; London: Duke University Press, 2005), 311.
3 Ibid., 324-330.
4 Walter Benjamin, "The Author as Producer" [online publication] <http://www.newleftreview.org/?view=135>, accessed 20 Feb. 2011.
5 Harrison C. White and Cynthia A. White, Canvases and Careers: Institutional Change in the French Painting World (Chicago: University of Chicago Press, 1993), 94-98.
6 Artur Żmijewski and Joanna Warsza (eds.), Forget Fear (Cologne: Walther König, 2012a), 7.
7 Artur Żmijewski, "7th Berlin Biennale for Contemporary Politics" in Artur Żmijewski and Joanna Warsza (eds.), Act for Art: Berlin Biennale Zeitung (Berlin: KW Institute for Contemporary Art, 2012b), 10.
8 Żmijewski, Op. Cit (2012a), 7.
9 BB7 Challenge, [web document, press release] <http://metropolism.com/fresh-signals/bb7-challenge/english>, accessed 10 Dec. 2012.

Marsha Bradfield is an artist, curator, writer, educator and researcher. Across these practices, she is developing a praxis of dialogic art. She co-authors events, projects, exhibitions, publications, etc., that use dialogue to explore authorship as constitutively collaborative. Her interdisciplinary approach foregrounds the dialogic interactions among people, objects, cultures, systems, technologies and other aspects as they couple and decouple through cultural production. Marsha received her PhD from Chelsea College of Art and Design, University of the Arts London in 2013. She works in collaboration with ArtLeaks, Critical Practice, Precarious Workers Brigade and Contemporary Marxism Group. Marsha divides her time between London UK and Vancouver Canada.

Kuba Szreder is a member of Critical Practice since 2008. Graduate of sociology at Jagiellonian University (Krakow). He works as an independent curator, his interdisciplinary projects actively engage in public sphere, combine artistic practices with other formats of cultural production and critical examination of society. His research is focused on critical reflection about artistic apparatus and its position in contemporary capitalism. In Fall 2009 he started his practice-based PhD at Loughborough University School of the Arts, in which he scrutinizes the economic and governmental aspects of project making and their impact on an 'independent' curatorial practice.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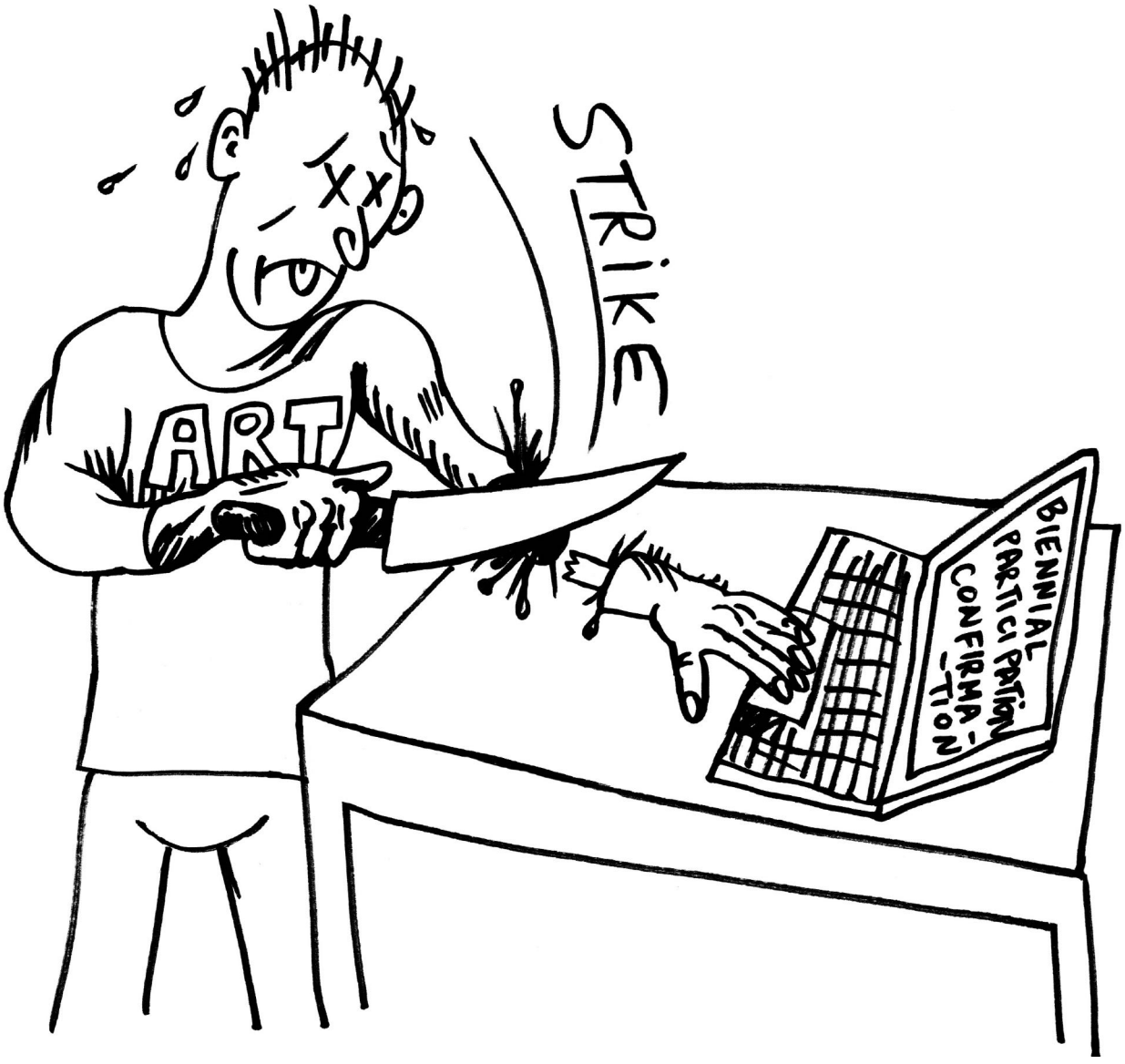
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NON-PARTICIPATION

Lauren van Haaften-Schick

In 2008 the Spertus Museum in Chicago prematurely closed their exhibition "Imaginary Coordinates," which presented historic and contemporary interpretations of mapping the Israel-Palestine region. Although the exhibition was not politically aligned, religiously affiliated funders accused the museum of sympathizing with Palestine, and threatened to end their support. While the incident did not go unnoticed by the press, the museum attempted to continue business as usual, and later that year artist Michael Rakowitz, who is of Iraqi-Jewish heritage, was invited to create a newly commissioned work for the museum. His eloquent refusal of the invitation, later published in the journal The Exhibitionist, outlines the importance of Imaginary Coordinates for presenting works from both sides of the Israeli Palestine conflict, and lambasts the museum for their decision to close the exhibition early, thereby "serving the interests of those who seek to erase culture and memory." Rakowitz's letter concludes by declaring a simple yet often lost principle of the ethics of cultural production, that "what an artist refuses is sometimes more important than what he or she agrees to."[1]

As evidenced by Rakowitz's protest, there are many instances where producers choose to resist and refuse limitations on their practices, their freedom of speech, and reject contexts that do not present their work as it should be understood. In January 1969 the artist Takis removed his sculpture on display at the Museum of Modern Art in New York in protest of the museum's poor contextualization of the work and exhibition of it against the artist's will. The demonstration that ensued led to a series of demands presented to MoMA regarding the fair treatment of artists, and served as the catalyst in the founding of the Art Workers Coalition, who called for political responsibility among institutions and an assertion of artists' labor and intellectual property rights. A member of the AWC, Lee Lozano's "Strike" piece also from 1969 outlines her choice to withdraw from the art world in order to pursue "total personal & public revolution," and declares that her future involvement in art will be strictly limited to efforts that further this goal.[2] The following year, a widespread "Art Strike," initiated by members of the AWC and affiliates, called for museums and other cultural institutions to close their doors for one day to two weeks as an expression against the US government's "policies of racism, war and repression."[3] For the Art Strike, Robert Morris ended his

retrospective at the Whitney Museum of American Art, Frank Stella closed his exhibition at the MoMA for a day, Jo Baer, Robert Mangold, and Robert Smithson barred the Whitney from exhibiting their works in the permanent collection that month, and MoMA and the Guggenheim suspended their admission fees. In 1977-80 Gustav Metzger proposed another Art Strike, which was to last for three years during which time artists would not produce, sell or exhibit work, in the hopes that this refusal of labor would serve to cripple the hierarchical industry of art as it stands.[4] Regardless of their explicit agendas, these acts of complete withdrawal highlighted the value of these artists' participation by emphasizing the gap that was left when their work could no longer be accessed, and challenged established forces of control over the channels by which art may be transmitted and received.

The concrete impact of these acts is up for debate however. As Stewart Home admits of his own Art Strike from 1990-93, although some artists will cease to "make, distribute, sell, exhibit or discuss their cultural work... the numbers involved will be so small that the strike is unlikely to force the closure of any galleries or art institutions."[5] Elaborating on this notion, Luke Skrebowski writes that because "contemporary art's 'value' is decided primarily on the secondary market, a cessation of primary production would not be able to stop business... rediscovered figures from the past and/or previously unincorporated regions could be employed as vehicles for speculation" such that the market/institution as it stands will always be able to replenish its stock regardless of the contemporary artists' participation, or lack thereof.[6] These scenarios seem to only further a cultural climate that tends to encourage over-production and exhibition for the sake of attention, inducing a kind of "pressure to perform," as argued by Jan Verwoert, where the political or conceptual motivations behind the act of making can override content and criticality.[7] The promise of cultural capital as the payoff for precarious livelihoods make the automatic "yes" an obvious option for many. In the worst scenarios, the artist ceases to present alternative ways of seeing, of operating, and thus a core purpose of art is abandoned. Yet Homes continues to assert that the importance in the act of striking and of refusal lies in the ability to "demonstrate that the socially imposed hierarchy of the arts can be aggressively challenged." Such statements also give voice to often under-represented positions, proposing a crucial alternative to accepting what is given, and what shouldn't be. This optimistic assertion is an attempt at reversing the widely (and quietly) held belief among artists and others that the risk of not participating will diminish our cultural, intellectual, and financial value – in this opposite scenario, we may be empowered by it.

I am now compiling these letters of "Non-Participation," as a publication and exhibition series. The content of these statements will remain un-edited, and they will be accompanied only by factual accounts. Letters received and researched thus far concern a diversity of issues ranging from the non-payment of artists' fees, censorship of university courses and of art critics' writings, to the cancellation of projects for various political reasons. In some cases, the artist is the one who is at

fault and not the institution they are speaking against, and in other instances the true right or wrong is impossible to decipher. Regardless, these acts of resistance force questions and concerns deserving of consideration. It is the hope that this collection will serve as a broad reference, a guide, and at the very least a source of inspiration, revealing that opting out remains and will always be a viable and valid option.

The call for submissions is below, and is followed by a sampling of letters received.

1."The Untimely Closing of Imaginary Coordinates: Letter from artist Michael Rakowitz to Staci Boris, Senior Curator at Spertus, refusing an invitation from the museum to create a new work for an upcoming exhibition," The Exhibitionist, Fall 2008.
2. Lozano, Lee, "Strike Piece," 1969, viewable at: http://pastelegram.org/reviews/99.
3. New York Artists Strike Against War, Racism, Repression, and War, "Art Strike," 1969. Announcement viewable at: http://www.aaa.si.edu/collections/images/detail/art-strike-9979.
4. Metzger, Gustav, "ART STRIKE 1977-1980," Art Into Society/Society Into Art, Institute for Contemporary Art, London, 1974.
5. Home, Stewart, "About the Art Strike," The Art Strike Papers, viewable at: http://www.stewarthomesociety.org/features/artstrik3.htm. Originally published in Welch, Chuck, The Eternal Network: a mail art anthology, London, 1989.
6. Skrebowski, Luke, "Working against (Art) Work" in Baldon, Diane, ed. et. al., "Counter-Production," Generali Foundation, Vienna, 2012.
7. Verwoert, Jan, "Exhaustian & Exhuberance: Ways to Defy the Pressure to Perform," in Ohlraun Vanessa, ed., Tell Me What You Want, What You Really, Really Want, Sternberg Press, 2011.

Call for Submissions: Non-Participation

Non-Participation

The project, "Non-Participation," will be a collection of letters by artists, curators, and other cultural producers, written to decline their participation in events, or with organizations and institutions which they either find suspect or whose actions run counter to their stated missions. These statements are in effect protests against common hypocrisies among cultural organizations, and pose a positive alternative to an equally ubiquitous pressure to perform. At the heart of the project is the notion that what we say "no" to is perhaps more important than what we agree to.

Historic instances and examples include: Adrian Piper's letter announcing her withdrawal from the show Reconsidering the Object of Art: 1965-1975 at LA MoCA, stating her opposition to Phillip Morris' funding of the museum and requesting that her criticizing statement be publicly shown; A letter from Jo Baer

to a Whitney Museum curator canceling an upcoming exhibition on the grounds that her work was not being taken seriously because she is a woman artist; Marcel Broodthaers open letter to Joseph Beuys questioning the relationship between artists and exhibiting institutions; the withdrawal of John Baldessari, Barbara Kruger, Catherine Opie and Ed Ruscha from the board of trustees of LA MoCA in response to the leadership of Jeffrey Deitch and his dismissal of curator Paul Schimmel; and public announcements by art writers Dave Hickey and Sarah Thornton of their "quitting" the art world.
I am now collecting your letters of non-participation, which will be compiled as a publication, with other activities surrounding the project to be announced.

Please send copies of your letters via email to lauren@laurenvhs.com.

With your submission, please indicate whether or not you wish to remain anonymous. All names and contact information can be omitted or made public, depending on your preference.

Each letter will be accompanied by a factual account of the incident and/or any other relevant information that could illuminate the situation, as you see fit. There is currently no deadline for submissions.

In terms of my own work, Non-Participation is a natural extension of my last exhibition, "Canceled: Alternative Manifestations & Productive Failures," which presented a selection of canceled exhibitions and the projects artists and curators created in response. The idea for Non-Participation came up many times over the course of the exhibition, and now I would like to see it come into being. Please feel free to pass this along to anyone else you think may be interested.

And of course, let me know if you have any questions, thoughts or suggestions.

Thank you in advance.

All my best,
Lauren van Haaften-Schick

I get two or three donation requests a month. The last one from an organization in Alaska and most of them have nothing to do with art so I had to come up with a "general letter of NO".

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To Whom It May Concern,

Thank you for thinking of me when you sent a request for a donation of my art for your upcoming auction but I must politely decline. I feel it is only fair to let you know the reasons why I am saying no and it is *certainly not* that I don't believe in or want to support your cause.

1. Original art is a very popular item at auctions. Art is something that rarely loses its value yet it is usually undervalued when it sells for less than its gallery retail price at auctions. This does not look good in the eyes of other collectors of that particular artist's work because it devalues their own collected item. Generally the only time artwork sells for its value at an auction is at events where the audience is primarily made up of art connoisseurs/collectors who are there specifically to buy art.
2. Contrary to what most organizations tell artist donors, auction attendees rarely contact the artist whose work they purchased to buy other works. Perhaps they figure they can wait until the following event to buy it for less than retail.
3. Artists do not get any tax break or incentive when they donate their own work to an auction. We can only deduct the cost of materials at the end of the year which we already do as a regular cost of doing business. A collector who buys an artwork, *however*, can indeed declare the donation of an artwork (for its full retail value) as a tax-deductible charitable donation.
4. Artists are asked to donate their means of making a living (more than any other professionals) to auctions and fundraisers for causes, many of which have nothing to do with art, yet visual art is one of the lowest paid professions.
5. When a work is sold at auction, not only does the *artist* not make money but neither does the *gallery* that spends their time and energy trying to promote and represent him/her and also depends on sales.
6. For many artists, the work "sitting around" in their studio **is** their *retirement account* and you don't want to be partly responsible for depleting it.

Now, here are some alternative suggestions:

1. Ask some wealthier folks to purchase artwork from artists, perhaps at a negotiated amount and in turn they can donate it to the auction. The artist does not completely lose *all* the income for that particular work and the patron *does* get a tax break when they donate.
2. If you still feel it is right to ask artists to donate their art to your organization, you may want to select artists that you know are either wealthy, not depending on sales of their work to pay their bills or newer/younger artists that *really* want/need some exposure.

3. *An evening at an artist' studio!* Ask some better known artists to open up their studio for a group, and auction that off instead of an individual artwork. You could probably arrange for them to donate a percentage of any sales made during that evening at his/her studio to your organization. This brings that *promised exposure* to the artists and there is a chance for the artist and the organization to make money; both from the auction item *and* from the event at the artist's studio later.
4. Invite some artists to have work *for sale* (not auction) at the event for the valued price and give the artists 50% if the work sells.
5. Lobby the IRS to change its policy on the way artwork is valued when donated by its creator. Suggest that the artist should get whatever the selling price is (not even the value) as a charitable tax deduction.

Most artists I know are socially minded folks that generally do want to help their communities. Unfortunately we are often only valued as an easy donation any time money needs to be raised. Until some organizations realize these inequities, we are kept in similar situations as some of the causes these very non-profits are trying to help. I hope you realize that whatever criticisms I may have are not personal and are only meant to be constructive and beneficial to all involved.

Respectfully yours,

Juan Alonso

This letter is following up to a phone conversation with a book store owner who has organized a juried competition of which artists are selected for a small museum show in Traverse City, Michigan, as well as inclusion in a book. I am objecting here to the pay in model for artists as the feature of a museum show as well as a book project in which the book will be sold.

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Dear Barb,

....I congratulate you on the many hours and years that you've dedicated to the realization of this project. Forgive me, I have an anarchist temperament but don't mean to pick on those that are warriors on the same team. And I appreciate your openness to understanding the issues I'm raising. Of course I would expect nothing less than your interest in valuing and respecting the artists.

What we have here is an old pay-in competition model that is out dated and clearly sets artists up as speculators. Some artists pay in but have no return at all, do not get in the show or in the book. The artists are not paid for their services, for adding to the talent pool, for delivery of work, for the use of their name, image or their copyright. Exploitation is a harsh word but the scenario is one where the artist is perpetually staged at an economic disadvantage-an unpaid worker paying in-when other players are making money in the same game off of the very contribution of the artists. You can understand why artists are very skeptical when they hear the word "opportunity". Assuming to normalize unjust economic treatment of one category of people-artists-is a kind of discrimination, another harsh word but applicable. What other category of people are asked to work in exchange for opportunity and recognition ? Artists realize the part they have played in allowing these structures to exist and have been working toward resolving them by standing up for themselves and trying to articulate why these issues matter.

In a transparent world we see the host gaining social capital by the affect of appearing charitable to the artists but in reality the artists are the ones giving of their services. The artists are the primary content providers, the feature of the show, the very spark and center that draws the audience to the project. With this pay-in model they are also investors.

I do think it will be important to acknowledge that the artists have contributed financially to the project. Projecting an appreciation of the artists as being collaborators, working jointly to produce and create the show and publication, will significantly help shift the assumptions of how artists fit into the cultural class structure. It will offer the artists the opportunity of sharing the same deserved social capital and give credit where it is due.

I hope this is helpful, Barb. I'm attaching a website that is referenced often with these issues.

Melanie Parke
http://www.wageforwork.com/

I was invited together with the art production house La Collezzione di Carrozzeria Margot by the Danish artist FOS to hold an art intervention in the special Danish floating pavilion, Osloo at the 54th La Biennale di Venezia - Arte.
My project THE ITALIAN PAVILION ETHNOGRAPHIC SURVEY (2011) consisted in leading a paradoxical ethnographic survey into the Italian Pavilion from the Danish pavilion, a sort of base camp for displaced Italian artists - the ethnographic practices being the occasion to overturn power relations so as to criticize the curatorial project of the Italian Pavilion, heavily influenced by the populist agenda of Berlusconi's government. I collected aspiring ethnographers (all art workers) trough an online open call and "leaded" them into the "otherness" of the sexist, chauvinist and amateurish Italian Pavilion. The project was well received and had great visibility on the Italian art online media during the Biennale. The paradox is that just after the survey I was invited in the regional branch of the Italian pavilion in Pecci Museum and of course I refused!

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Da: Leone Contini <leone.contini@gmail.com>
Oggetto: Re: 54° biennale di Venezia/Padiglione Toscana - Museo Pecci
Data: 14 giugno 2011 00:24:07 CEST
A: XXX <XXX@centropecci.it>

Caro XXX,
scusa se ti scrivo solo adesso ma avevo già accennato via telefono a XXX alcune perplessità rispetto alla mia partecipazione, poi ho provato a chiamarti varie volte al Pecci (anche stamattina) ma senza successo.
Immagino che esporre al Pecci sia il sogno di ogni artista toscano, ma accettare di far parte del Padiglione Toscana sarebbe un gesto di totale incoerenza rispetto alla mia ricerca artistica.
Quindi avendo a lungo riflettuto ho preso la decisione di non accettare l'invito.
Ti ringrazio per la tua stima e spero che in futuro avremo modo di lavorare insieme in contesti curatoriali differenti.
Un caro saluto e a presto,
Leone

Lauren van Haaften-Schick is a curator, artist and writer from New York. Recent curatorial projects include "Canceled: Alternative Manifestations & Productive Failures" at The Center for Book Arts (New York), "Directly in front of you" at Vox Populi (Philadelphia, PA), "Spirit of the Signal" at Nicole Klagsbrun Gallery (New York, NY). She was the founding director of Gallery TK in Northampton, MA from 2004-2006, and AHN|VHS gallery and bookstore in Philadelphia from 2009-2010. She holds a BA in Art History and Studio Art from Hampshire College.

art

WHOSE ART?

by John Perreault

Last Friday I received a polite but impassioned telephone call: "This is Takis. . . . At four o'clock I am going to remove my sculpture from the Machine Show at the Museum of Modern Art. . . . They are exhibiting it against my wishes. I would appreciate it if you would please come." The Cool Revolution!

They moved like clockwork: Takis, unshaven, calm, looking like a saintly longshoreman or an anarchist ready to plant a bomb; Willoughby Sharp who took off all his clothes at Jill Johnston's panel discussion at NYU; black-bearded Farman, a poet; and Do, a beautiful woman with reddish hair who called the Director's office from a telephone booth to explain what was going to happen. There were others.

4.00, 4.01, 4.02, 4.03. . . . In a crowded gallery, in front of stunned guards, Takis moved in on his own work, cut the wires, unplugged it, and, protected by Farman and Willoughby, gently carried it out into the museum garden, with a coolness that was unbelievable. It was very well rehearsed and on the surface looked more like a movie jewel-robbery than the anarchist's ballet that it really was. Takis and his bearded cadre left a small wake of handbills, strategically handed out to the guards as they approached, and to the few bystanders that seemed to get what was going on.

One handbill, signed by Takis, proclaimed: "Let's hope that our unanimous decision January 1st 1969 to remove my work from the Machine exhibition at the Museum of Modern Art will be just the first in a series of acts against the stagnant policies of art museums all over the world. Let us unite, artists with scientists, students with workers, to change these anachronistic situations into information centers for all artistic activities, and in this way create a time when art can be enjoyed freely by each individual."

The guards and security men were flipped out or completely confused. "Do you have permission to move this work?" "How do we know you're really the artist?" One security man, obviously trying his damnedest to take care of the situation, but making one ludicrous move after another, tried to stop the photographers from taking his picture after having proclaimed that if this had been the Metropolitan Takis would have been shot on the spot. (The Metropolitan, as everyone knows, is not particularly well-known for exhibiting the works of living artists; they can't expect any trouble from Rembrandt or even Jackson Pollock.)

But gentle Takis refused to move in spite of the invitations to come in out of the cold and talk it over. "I am guarding my work. I want written assurance that this will be permanently removed from this show and that the museum will not ever again exhibit it without my permission."

Takis, as I have indicated here once before, is an important artist and an artist I respect. Aside from the high quality of his work, having met him in person a week or so ago, I know him to be a serious person as well as a serious artist, and probably not someone to do something merely for publicity. He was very upset. And, I might add, with some justification.

Continued on next page

THE NEW YORK

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sculpture after removing it from

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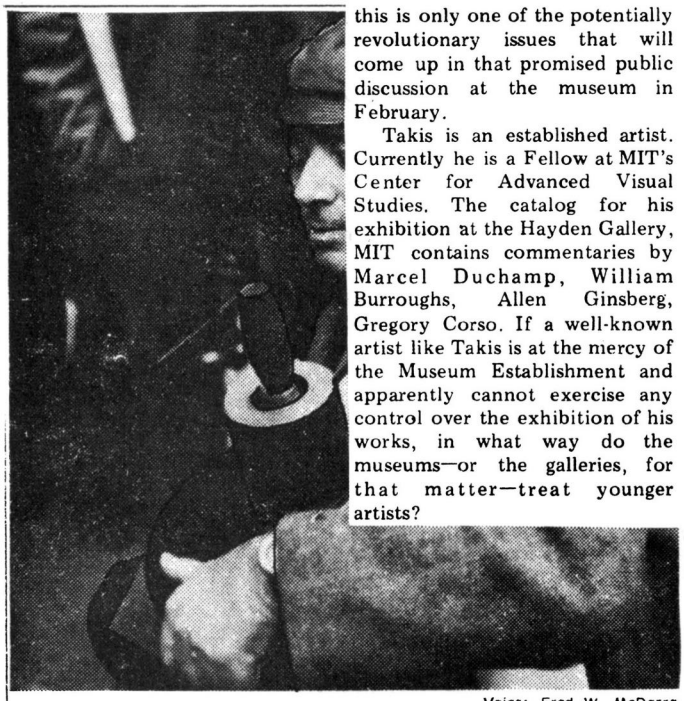
Continued from preceding page

Takis is represented in the Machine Show by "Tele-Sculpture (1960)." Cork and wood with magnets, hanging from steel wires, move around an electro-magnet. 1960! In the show it seems like an afterthought, sandwiched in amongst other works, in a room given over to larger, newer, and more spectacular inventions by artists, not necessarily better, but certainly more fashionable. In a letter to Dr. K. G. Pontus Hulten who organized the Machine Show, Takis stated that if he were to be represented by this work, he refused to be represented at all. Other more recent works were easily available to the museum. Therefore, although this particular work was in the museum's collection, it was exhibited against his wishes and despite his protestations. This was the straw that broke the camel's back. Artists everywhere complain about the museums and feel powerless when confronted with them. Takis did something about his complaint.

The garden got darker and colder and colder. Although various "officials" eventually ventured down into the garden, written assurance was a long way off. It still is. But Takis, although he still wants all artists to have some say in the exhibition of their works, was in some way successful. After an hour-and-a-half "sit-in" and then finally a two hour talk with Bates Lowry, the new director of the museum, he at least got a verbal agreement. The piece is no longer in the show. Lowry, of course, inherited the situation and, recognizing the importance of Takis's gesture, agreed to more talks and public discussion in February.

Hopefully the discussion will be more than a discussion and some concrete actions will result. Another Takis handbill lists exactly what he and his friends are opposed to: "1. The exhibition of works by living artists against their express consent, 2. The exclusive ownership privileges exercised by museums over the work of living artists. 3. The lack of consultation between museum authorities and artists, particularly with regard to the installation and maintenance of their work, 4. The unauthorized use of photographs and other material pertaining to the artist's work for publicity purposes." Certainly an artist should have some say in the treatment of his works, no matter who has "purchased" them. But this is only one of the potentially revolutionary issues that will come up in that promised public discussion at the museum in February.

Takis is an established artist. Currently he is a Fellow at MIT's Center for Advanced Visual Studies. The catalog for his exhibition at the Hayden Gallery, MIT contains commentaries by Marcel Duchamp, William Burroughs, Allen Ginsberg, Gregory Corso. If a well-known artist like Takis is at the mercy of the Museum Establishment and apparently cannot exercise any control over the exhibition of his works, in what way do the museums—or the galleries, for that matter—treat younger artists?



Voice: Fred W. McDarra

TAKIS TAKES IT BACK

THE NEW YORK TIMES, SATURDAY, JANUARY 4, 1969

Sculptor Takes Work Out of Modern Museum Show

An artist removed his sculpture from the exhibition entitled "The Machine" at the Museum of Modern Art yesterday because, he said, it had been displayed against his wishes. Takis Vassilakis said he took "this action as a symbolic act to stimulate a more meaningful dialogue between museum directors, artists and the public."

The 44-year-old artist arrived at the museum on West 53d Street with several friends at 4 P.M. Before guards could intervene, the group lifted the fixed part of the work off its pedestal, pulled down the two overhead revolving forms and carried the parts to the museum's outdoor garden. The sculpture, a three-part construction, consists of an electromagnet about 12 inches in diameter and a white sphere and a black spool-shaped form that are suspended from the ceiling. When the magnet is turned on, it attracts the spool and repels the sphere. The sculpture was purchased in 1962 by John de Menil, who donated it to the museum.

In the outdoor garden, Mr. Vassilakis and his friends put the sculpture on the ground and sat around it, refusing to move until they were permitted to confer with Bates Lowry, the museum director. After an hour-long talk in the director's office on the fifth floor, the sculptor announced that the museum had agreed to place the work in storage.

Mr. Lowry said he had also agreed to meet with the artist and his friends again to set a date for a discussion on how best to initiate "an open dialogue." He said the incident had raised some interesting points on the problems "between any institution, the artist and the public."

Takis Vassilakis carrying the parts of his sculpture after removing it from exhibition

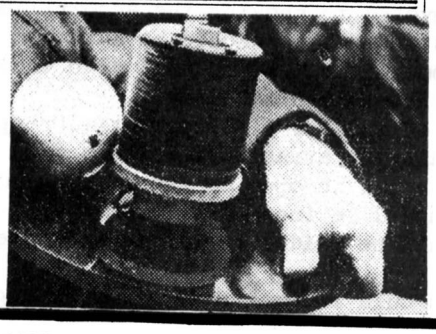
The New York Times

New York Free Press, 6 February 1969

Battcock

The art museum today has not received the provocations concerning dramatic change that the universities have felt. Several artists and critics have recently petitioned the Museum of Modern Art with a view toward change within the museum; change that could possibly give the institution, so outdated and irrelevant now, the opportunity for revitalization. Printed here are the list of proposals submitted by the group to the officials of the museum. The group claims to represent no one; yet knows it represents many. It includes the following: Hans Haacke, Tom Lloyd, Willoughby Sharp, Takis, Tsai, John Perrault and myself. Some of the proposals offered the museum are, of course, fantastic but they are not nearly fantastic enough. Most important is the first proposal which requests a public hearing, sponsored by the museum. Only a public hearing, held according to proper rules of procedure can democratically allow for the free presentation of a cross section of thought. A panel discussion would undoubtedly prove more acceptable to the museum: it would also afford the museum opportunity to distribute its own views and we are not, at this time, interested in hearing them. Before anything else can be done, all those who have a thought concerning the museum, its function and role, indeed its very license, must be heard, even if they're full of shit, it doesn't matter. Should the museum be reluctant to provide the public hearing requested one may conclude that it is democratic procedure that really bugs them. The group has requested a decision within the next couple of days. If the museum refuses to cooperate and denies the public hearing, the group intends to hold the hearing anyway, under its own auspices and open to anybody. Naturally the negotiations that have so far occurred have been interesting. My thoughts concerning the problem have sent shocks through my electric typewriter (or is it the other way round?)

14



January 28, 1969
To the Museum of Modern Art:
Realizing that the thirteen proposals put forward to you today require thought and consideration on the part of all concerned, in particular the first proposal, we consider that a period of ten days should be sufficient to have your written response directed to all the undersigned.

From our discussion today, it must be evident that our thirteen proposals are of great mutual interest. However, before we engage in further dialogue, we should like to know by letter your position on the first proposal.

1. The Museum should hold a public hearing during February on the topic 'The 'The Museum's Relationship to Artists and to Society,' which should conform to the recognized rules of procedure for public hearings.
2. A section of the Museum, under the direction of black artists, should be devoted to showing the accomplishments of black artists.
3. The Museum's activities should be extended into the Black, Spanish and other communities. It should also encourage exhibits with which these groups can identify.
4. A committee of artists with curatorial responsibilities should be set up annually to arrange exhibits.
5. The Museum should be open on two evenings until midnight and admission should be free at all times.
6. Artists should be paid a rental fee for the exhibition of their works.
7. The Museum should recognize an artist's right to refuse showing a work owned by the Museum in any exhibition other than one of the Museum's permanent collection.
8. The Museum should declare its position on copyright legislation and the proposed arts proceeds act. It should also take active steps to inform artists of their legal rights.
9. A registry of artists should be instituted at the Museum. Artists who wish to be registered should supply the Museum with documentation of their work, in the form of photographs, news clippings, etc., and this material should be added to the existing artists' files.
10. The Museum should exhibit experimental works requiring unique environmental conditions at locations outside the Museum.
11. A section of the Museum should be permanently devoted to showing the works of artists without galleries.
12. The Museum should include among its staff persons qualified to handle the installation and maintenance of technological works.
13. The Museum should appoint a responsible person to handle any grievances arising from its dealings with artists.
January 28, 1969.

the village VOICE, *February* 6, 1969

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art

by John Perreault

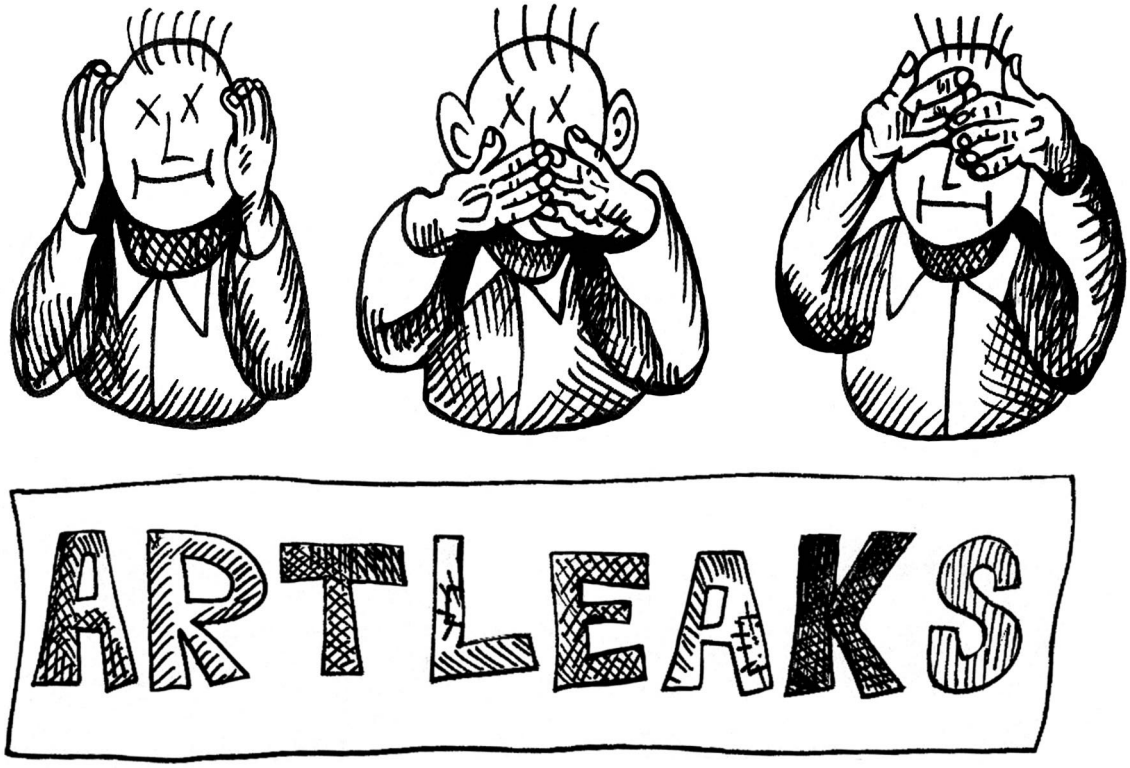
* * *

Awhile ago the well-known artist Takis removed his work of sculpture from The Machine Show at the Modern. This was a symbolic act. Later informal meetings were held in which supporters of Takis, before and/or after the incident ironed out a list of proposals for museum reform.

On January 28 a list of 13 proposals was presented to Bates Lowry, director, and four curators of the Museum of Modern Art by: Gregory Battcock, Hans Haacke, Tom Lloyd, Willoughby Sharp, Takis, Tsai, and myself. Since we are now awaiting the museum's answer to our first proposal—a proposal we consider important since it will allow other people a chance to air their grievances and offer their suggestions—I will for the moment offer the 13 points as a news item and not make any other comment:

"Sculptor Takes Work Out of Modern Museum Show," The New York Times, January 4, 1969.

DOGUMENTA 13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